

Freedom of the Media in Hungary, 1990–2002

Péter Bajomi-Lázár

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Supervisor: Miklós Sükösd

Second readers: András Bozóki, László Bruszt, Miklós Haraszti, Robert L. Stevenson

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1. Introduction: Democratic consolidation and the transformation of the media

The liberation of the media was an axiom of the political transformation in the countries of East Central Europe, and the demise of the communist regimes in 1989–90 put an end to formal censorship. Yet freedom of the media has been repeatedly challenged in all of the region's countries in the past 13 years: from Poland to Bulgaria and from the Czech Republic to Russia, virtually all of the new political elites have exerted pressure on the media in an attempt to propagate their policies and to suppress criticism. Many of their attempts have succeeded, and the performance of the news media has fallen short of both rhetorical expectations and the standards set by the media in the advanced democracies (Paletz et al., 1995; Giorgi, 1995; Gross, 1995; Jakubowicz, 1995; Köpplöva & Jiráková, 1995; Sawisz & Mikulowski-Pomorski, 1995; Nicholchev, 1997; Gunther & Mugham, 2000; McGil Murphy, 2002; Sükösd & Bajomi-Lázár, 2003a). *Why was media freedom repeatedly challenged in the post-communist democracies after the formal abolition of censorship?* This thesis aims explain this puzzle.

In an attempt to do this, this thesis will merge two related approaches: that of media transformation studies with democratic consolidation theory. Most works representing the first approach and focusing on *the transformation of the media* in the post-communist democracies have described the process in terms of Schramm et al.'s classic 'four theories of the press' (e.g., Gijssbers, 1993; Kováts, 1995), and in the context of the development of civil society (e.g., Splichal, 1994; Sparks & Reading, 1998; Gross, 2002). The transformation of the media has primarily been conceptualized as a gradual move from the 'totalitarian' or 'authoritarian' toward the 'libertarian' or 'socially

responsible' models, i.e., from complete or partial state control toward the full autonomy, or the full social control, of the media. Despite the growing number of works devoted to the transformation of the media in East Central Europe, however, no widely accepted theory has yet been developed to frame the systematic analysis of the process. The media transformation literature has been criticized for failing to cover all aspects of the process and to explain regional differences (Downing, 1996). The degree and success of media transformation across the countries of East Central Europe has been judged on the basis of fragmentary data and qualitative descriptions of the various post-communist countries' media landscapes.

By contrast, those representing the second approach and focusing on *democratic consolidation* have devoted several works to the establishment of a theory that helps to analyze the various aspects of the political transformation, to assess the degree of democratic consolidation, and to explain regional differences (Linz & Stepan, 1996; Plasser et al., 1998; Hollis, 1999; Berg et al., 2001; Pridham & Ágh, 2001). However, most of them focused on changes in the party system, the economy, and civil society, while—despite the media's central role to democracy—devoting much less, if any, attention to the transformation of the media.

In an attempt to merge these two approaches, this thesis applies a theory of democratic consolidation to the transformation of the media in the post-communist democracies. More specifically, it puts forward the concept of *the consolidation of media freedom* as a framework for the systematic analysis of the various aspects of media transformation, and operationalizes it in the context of one selected country: Hungary.

The ultimate objective of this thesis is to identify the factors hindering the consolidation of media freedom in the post-communist democracies.

In order to do this, I will, firstly, recall theories that justify the freedom of the media as the only rule compatible with the democratic system. I will also define the ends and limits of media freedom (chapter 2.1). Then I will recall theories of democratic consolidation for an analogy to define and operationalize the concept of the consolidation of media freedom (chapter 2.2.).

Secondly, I will explain why Hungary was chosen as a case study. I will demonstrate that political pressure on the media was more intense in post-communist Hungary than in other East Central European countries with a similar historical legacy, and therefore a better understanding of why media freedom has not consolidated in Hungary provides special insight on the puzzle described above (chapter 3.).

Thirdly, I will summarize theories from the media transformation literature that aim to explain the persistence of political pressure on the media in post-communist Hungary, and formulate the working hypotheses of this thesis (chapters 4.–4.3.). These theories seek to explain the persistence of political pressure on the media in present-day Hungary with the communist legacies of the country. In order to gain a better understanding of these legacies I will, fourthly, describe the major features of the media policies of Hungary's communist and post-communist governments (chapters 5.–5.2.6.).

Fifthly, I will gather empirical data in order to test my working hypotheses. This will be done by way of both cross-country and longitudinal intra-country comparisons of the development of the institutions, behavior patterns and attitudes regarding the media in Hungary and other countries (chapters 6.–8.3). The objective of these comparisons is to

identify those factors that may have hindered the consolidation of media freedom in Hungary (chapter 9.).

It is anticipated that the identification of these factors will help to define the conditions under which the freedom of the media vis-à-vis the political elites is more likely to emerge and to endure. The appendix of this thesis includes a series of media policy proposals that aim to improve the conditions under which media freedom is more likely to consolidate in Hungary and, by extension, in other post-communist democracies.¹

2. Key concepts

Before introducing the concept of the consolidation of media freedom, I will

- (1) take a look at theories that justify the freedom of the media as the only rule compatible with the democratic system,
- (2) recall definitions of media freedom,
- (3) describe the ends and limits of media freedom, then
- (4) refer to theories of democratic consolidation for an analogy to define and operationalize the concept of the consolidation of media freedom.

¹ Some of this research is based on former book chapters and other publications that I wrote in the past three years (Bajomi-Lázár, 2001a, 2001b, 2001c, 2001d, 2002a, 2002b, 2002c, 2002d, 2002e, 2003a,

2.1. The concept of media freedom

Theories of media freedom are not as old as the media themselves.² The first newspapers were controlled by the absolutist elites, including the clergy, who considered them a tool to enhance their power, ideology and legitimacy. At this time, the media's subordination to political power was the rule, and the issue of media freedom was not raised (Voorhoof, 1998: 35; Kunczik, 2001: 63). The early theories of media freedom were developed in Great Britain, one of the first countries to be democratized.³ The first to call for the freedom of expression⁴ was probably John Milton who in *Aeropagatica* argued that censorship makes it impossible to find the truth by public argumentation. According to him, newspapers constituted a “free market place of ideas” where, by means of a “self-rightening process”, truthful ideas persist, while those that are unfit to survive fail. It follows, Milton argued, that the media should be free from political intervention (Milton, [1644] 1998).

Milton's argument is contestable because everyday experience shows that some ideas hardly ever make it to the media, and because many empirically false ideas persist in the media. However, his work was a reference point for John Stuart Mill's own justification for media freedom. In his classic work *On Liberty*, Mill argues that

2003b, 2003c, 2003d), or co-authored with other researchers (Bajomi-Lázár & Bajomi-Lázár, 2001; Sükösd & Bajomi-Lázár, 2003a; Bajomi-Lázár & Simek, 2003).

² Unless otherwise indicated, the term ‘media’ will be used in this thesis to describe both the print press (newspapers and books) and the broadcast media (including newsreels, radio and television). The terms ‘media freedom’ and ‘press freedom’ will be used as synonyms.

³ In 1695, Great Britain became the first country to abolish censorship formally. By way of comparison, censorship was first abolished in Hungary in 1848.

[i]f all mankind minus one were of one opinion, mankind would be no more justified in silencing that one person than he, if he had the power, would be justified in silencing mankind. ... the opinion which it is attempted to suppress by authority may possibly be true. Those who desire to suppress it, of course, deny its truth; but they are not infallible ... To refuse a hearing to an opinion because they are sure that it is false is to assume that *their* certainty is the same thing as *absolute* certainty ... There must be discussion to show how experience is to be interpreted. Wrong opinions and practices gradually yield to fact and argument; but facts and arguments, to produce any affect on the mind, must be brought before it (Mills, 1859: 76–80; emphasis in the original).⁵

Mill justifies the freedom of expression, and hence the freedom of the media vis-à-vis political elites, with its role both in the pursuit of one's *individual autonomy* and in the discussion of public matters that enables the *political community* to find the optimal solutions among the possible alternatives.

Another approach would justify media freedom with reference to its role in safeguarding the democratic system. The thinkers of the Enlightenment considered the free media a tool to hold political leaders accountable. The media were first characterized as the 'fourth estate' by Edmund Burke:

[t]here are three estates in Parliament, but in the Reporters' Gallery yonder there sits a Fourth Estate more important far than they are all (Burke [1790] quoted in Horvát, 1997: 61).

⁴ Although the term 'freedom of expression' (or 'freedom of speech') refers to all kinds of expression, including those that are made beyond the realm of the media, in this thesis it will be used as a synonym for 'media freedom' and 'press freedom'.

⁵ Of course, Mills' theory of completely limitless freedom of expression was conceived in view of the print press and was not meant to apply to the broadcast media whose immediate social impact is potentially greater.

Although Burke's concept of the 'fourth estate' was originally meant to be understood as a supplement to the three estates of the clergy, the nobility and the bourgeoisie, it soon came to be associated with Montesquieu's theory of the legislative, executive and judiciary powers. A common understanding of the concept is that democracy is a system of checks and balances in which the media limit the power of the 'other' branches of the government. This is what the 'fourth branch of the government', a common synonym for the 'fourth estate', also refers to. A further and more recent synonym for the same concept is the 'public watchdog' (e.g., Kunczik 2001: 72–74).

The idea of public accountability was linked with that of private property. According to Thomas Paine, another political thinker of 18th century Great Britain,

[i]n the representative system, the reason for everything must publicly appear. Every man is a proprietor in government and considers it a necessary part of his business to understand. It concerns his business because it affects his property (Pain [1791] quoted in Peters, 1998: 62).

In the first half of the 19th century, Karl Marx put forward some further arguments to justify media freedom. According to him,

the censored press has a demoralizing effect. It is potentiated evil, from which hypocrisy is inseparable ... The government hears only its own voice, it knows that it hears only its own voice, and yet fixes itself to the delusion it is hearing the voice of the people and demands of the people that they, too, affix to this delusion. But the people for their part sink into political superstition, partly into disbelief, or, totally run away from state life, become private rabble. By having to regard free writing as lawless, they get used to regarding the lawless as free, freedom as lawless. This is

how censorship kills the spirit of the state (Marx [1842] quoted in Kunczik, 2001: 62).

In recent centuries, a wide-scale consensus developed in Western democracies that media freedom should not be curtailed by political censorship.⁶ In France for example, the 1789 *Declaration of the Rights of Man and of the Citizen* declared that

[f]ree communication of thoughts and opinion is among the most precious rights of man. Thus, all men may speak freely, write and publish, provided they be responsible for any abuse of this freedom in cases determined by law.

In 1791, the First Amendment to the United States' Constitution expressed the same view:

Congress shall make no law ... abridging the freedom of speech, or of the press.

A more recent and international document acknowledging the freedom of expression is the 1948 *Universal Declaration of Human Rights* whose Article 19 states that

[e]veryone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek,

⁶ For a definition of censorship, see chapter 2.3.

receive and impart information through any media and *regardless of frontiers* (emphasis added).

This declaration claims that the freedom of expression is a universal right that applies to any country regardless of its cultural traditions. The European Court of Human Rights also declared in 1976 that

[f]reedom of expression constitutes one of the essential foundations of [a democratic] society for its progress and for the development of every man ... it is applicable not only to 'information' or 'ideas' that are favorably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb the State or any sector of the population. Such are the demands of pluralism, tolerance and broadmindedness without which there is no 'democratic society'.⁷

Since the freedom of the media from *political pressure*, or interference by political elites, has gained wide-scale consensual support in Western democracies at least at the rhetorical level, theorists have focused their attention on *commercial pressure*, i.e., interference by business elites. According to them, the articles of newspapers and the programs of commercial radio stations and television channels are but small windows between two advertisements. The short space and time slots devoted to news coverage do not allow for the critical investigation and in-depth analysis of current affairs; the tabloid press and commercial news broadcasts are necessarily superficial. In addition to this, it is argued that the commercial logic of audience maximization pushes publishers and broadcasters not to displease anybody, which de-politicizes their news coverage. As a result, information becomes a form of entertainment. Commercial pressure imposes a

new kind of censorship on the media (Bourdieu, 2001: 48–72). Moreover, theorists have pointed out that the media market is protected by high entry costs; it is an imperfect market. Only those with sufficient economic and cultural capital can voice their concerns; ownership tends to be concentrated in the hands of a wealthy few. The media market is not a “free market place of ideas” but a market subject to the laws of the economies of scale where, as a general rule, only the ideas backed by commercial interests persist on the long run (Curran, 1998: 288–289).⁸

In accordance with these considerations and in harmony with Article 19, the freedom of the media can be defined as *the people’s right to impart any fact and opinion, however unpopular, and to gather information on matters of public interest* (e.g., McQuail, 1994: 128–131; Keane, 1991: 131–134). The basic criteria for media freedom are the abolition of political and commercial censorship and the creation of a plural media landscape.

As mentioned, theorists justify the freedom of the media both as an end and a means: it is an end for the individual and a means for the democratic society. The free media are instrumental to democracy in many ways, and in particular

⁷ Handyside v. United Kingdom, 7 December 1976, 1 EHRR 737, para. 49.

⁸ A further challenge to the freedom of expression that has recently been dealt with increasingly is *social pressure*. According to John Keane, “[t]he internal censor warns us that there is too much at stake—our reputation, our families, our career, our jobs, legal action against our company. It makes us zip our lips, tremble and think twice, with a smile. It succours prevailing opinion and encourages ‘the gramophone mind’ (Orwell). Its hand even touches our children and friends, tutoring them in the art of not saying what they really think. Censorship resides in the lumpishness of our bodily gestures, in cautious and respectable clothing, and above all in intellectual cowardice, insipid humour, slothful imagination, and dissembled opinions wrapped in flat words” (Keane, 1991: 39). The same phenomenon has been described by Noelle-Neuman as the “spiral of silence”. According to his theory, society threatens with various sanctions individuals whose opinions are considered deviant in a certain “climate of opinion”. As a result of this threat, many people ally with what they perceive to be the dominant opinion, rather than express their own genuine ideas (cf. McQuail, 1994: 361–363). In the rest of this thesis, however, social censorship will not be discussed.

- they keep people informed and help them make enlightened and informed decisions when casting their ballot,⁹
- they watch elected power holders in order to make sure that they do not abuse their powers,¹⁰ and
- they mediate between diverging interests.¹¹

Many argue that the state has positive obligations to guarantee the freedom of expression (e.g., Mendel, 2000: 5–6). Article 2 of the *International Covenant of Civil and Political Rights*, an international treaty ratified by over 145 states, also notes that the state must

adopt such legislative or other measures as may be necessary to give effect to the rights recognised by the Covenant.

In practical terms, this means that the state may and must intervene into the media markets by way of regulation in order to eliminate market failures that would lead to censorship

⁹ As Owen Fiss puts it, “[a]s a system of government, democracy vests the public with final authority over questions of public importance, but presupposes that in making its decision the public will have all the information needed to make wise and enlightened decisions. A free press seeks to make that presupposition a reality and thus serves as an instrument of collective self-determination” (Fiss, 1993: 18).

¹⁰ As Michael Kunczik notes, “[i]n a democracy, journalism always has to take a fundamentally critical position. This is not the same as rejecting one’s state, but it is to function as a watchdog. ... the so-called ‘government-say-so’ journalism is irreconcilable with an ethically based journalism. ...one of the most important tasks of democratic journalism ... is to help prevent the establishment of oligarchic leadership that is fundamentally harmful to the development of democracy. ... Only in a dictatorship is there no conflict between journalists and government” (Kunczik, 2001: 72–74).

¹¹ As James Curran puts it, “a central role of the media should be defined as assisting the equitable negotiation or arbitration of competing interests through democratic processes” (Curran, 1991: 30). Some other functions of the democratic media that will no longer be discussed in this thesis include group formation, democratic political socialization, and minority emancipation (McQuail, 1994: 128–129; Weymouth, 1996: 3–8; Curran, 1998: 287).

taking the form of pressure by advertisers or by ownership concentration and, consequently, limit public access to the media and of the diversity of accessible views. There is, of course, a difference between *state intervention* and *political intervention*. While the former aims to correct market failures and provide for the diversity of views and equal access to the media for all, and should be for this reason content-neutral, the latter leads to bias in favor of a particular political party or coalition of parties. A typical instrument of state intervention into the media market is the establishment of press subsidies that tax the commercial revenues of the wealthy mainstream media and redistribute them to financially unviable newspapers and media without regard to their actual political message. By contrast, political intervention—in addition to other forms of pressure—may take the form of *ad hoc* subsidies granted to privileged media which advocate a political force and its policies.

The freedom of the media is never limitless in advanced Western democracies; some kinds of information may not be published. For example, the law might protect national security and defense information, classified state secrets, individual privacy, commercial and banking secrecy, as well as law enforcement (Hutchison, 1996: 53–59). It may prohibit incitement to crime and, in some democratic countries, hate speech (Kovács & Cseh, 1998: 327–335). In these countries, hate speech and incitement are proscribed on the ground that such views may jeopardize the state and thereby the liberties protected by the state, including the freedom of expression (McQuail, 1994: 129). Yet the prohibition of hate speech is problematic: it raises questions of definition, as hate speech is usually encoded and is therefore hard to identify (Kis, 1996).

The question whether hate speech should be sanctioned divides media policy makers. A common solution to this dilemma—applied, among other countries, in post-communist Hungary—is to prohibit hate speech in the broadcast media and tolerate it in the print press. The underlying argument is that the broadcast media, because of the force of sound bites and moving pictures, has a greater potential impact upon the public mind than the print press whose instruments of expression are technologically more restricted. It is also stressed that, in contrast to the print press, the broadcast media do not require active involvement on the part of the message receiver: by simply turning on one's television or radio set, one can run into unwanted content. This solution seems to be reasonable: it does not exclude offensive views from the public discourse, and allows those who seek those views to access them, provided that they actively go for them. Yet it does not expose such views to those who reject hate speech. Since the 1990s, however, the rise of the Internet—whereby the traditional technological borderlines distinguishing the print press and the broadcast media have vanished—this regulatory practice has been increasingly challenged. Legislators have been seeking new solutions, focusing on content regulation rather than applying different regulatory solutions to the various media outlets (Polyák, 2002).

As mentioned, theories of media freedom stress a democratic society's need for a diversity of views. However, the requirement of diversity pertains to the print press only: the broadcast media, in most countries, is another matter. Because of the scarcity of radio and television frequencies, there is presently no room for all views on the broadcast media. Those views that are of a greater public value need to be given priority, while others may not be aired. Frequency scarcity also implies that radio stations and television

channels need to ensure the plurality of views internally and provide objective and impartial news coverage.¹²

The definition of media freedom described above is normative to the extent that there is no country in this world where the press and media would operate completely independently of both political and commercial interests. Nor is there any country where they would completely fulfill their three major functions of the informant, watchdog, and mediator. Yet there are some real-world examples close to this idealized model, and in particular the Anglo-Saxon practice of media as represented by, among other things, the privately owned *New York Times* in the United States and the publicly run *British Broadcasting Corporation* (BBC) in the United Kingdom. This model is one in which the press and media are critical of the government of the day, inform the public in an objective manner, and provide for the plurality of views internally (cf. Sparks & Reading, 1998: 175–179).¹³

2.2. The consolidation of media freedom

The concept of media freedom, however clearly defined, may be difficult to operationalize in the context of the post-communist democracies. Censorship may be formally abolished, and a plural media landscape may emerge, yet experience shows that

¹² This, however, does not apply to all countries. In a large media market with a highly developed technology such as the United States of America, the broadcast media actually outnumber newspapers and are, accordingly, subject to a more liberal regulation than in countries with small media markets (Nyíri, 2000). The recent rise of digitalization, coupled with the spread of cable and satellite broadcasting may also radically increase the number of electronic media outlets in smaller markets too in the near future, and thus lead to more liberal regulation.

the freedom of the media can be challenged in many other ways. Several other factors—such as informal pressure by the government, difficult access to information, the small size of the market etc.—may have an impact on how people can use their right to impart and gather information. Yet all the definition of media freedom above implies is that the media are either free or not, depending on whether or not the basic criteria for media freedom—defined above as the abolition of censorship and the creation of a plural media landscape—is met. The concept of media freedom can primarily be used as a two-value variable. It fails to reveal temporal differences in how people could use their right to impart and gather information in the various post-communist countries and obscures regional differences.

Some analysts encompass this problem by way of using the concept of media freedom as a three-value variable. For example, Freedom House uses the categories ‘free’, ‘partly free’ and ‘not free’ when describing the status of the media in the various countries in its annual surveys. Having three categories allows for a more precise assessment of the status of the media in various countries, and is a great tool of cross-country comparisons. The analysts of Freedom House grant scores ranging from 1 to 90 to the various countries according to a preliminary determined checklist. However, they draw the division line between the three categories on an arbitrary basis: 30 scores define a country’s media as ‘free’ whereas 31 scores define it as ‘partly free’. The consequence is that a one-point difference on a 90-point scale may change the end result.¹⁴

¹³ For more on the Anglo-Saxon model of media, see chapter 7.1.

¹⁴ For more on the Freedom House press freedom survey method, see chapter 3. of this thesis.

The Freedom House annual press freedom surveys are designed for the purposes of policy analysis and their methodology is developed accordingly. However, for the purposes of academic research, including the explanation of the puzzle my thesis discusses, a gradual variable seems more convenient. Such a variable can be created by the introduction of the concept of the *consolidation of media freedom*, an analogy to the concept of *democratic consolidation* used by transitologists and consolidationists.¹⁵ The introduction of this concept allows me to distinguish the establishment of media freedom (defined, on a non-arbitrary basis, as the abolition of formal censorship and the creation of a plural media landscape) on the one hand, and the degree to which that freedom can actually be used by citizens on the other. In order to define and operationalize this concept, I will first briefly recall theories of democratic consolidation.

Theories of democratic consolidation vary. Some researchers focus on structures or *institutions* (e.g., Hollis, 1999; Ágh, 2001), others on actors or *culture* (e.g., Schedler, 1998; Jones, 2002) as the key factor defining democratic consolidation. Whereas the former argue that democratic political culture is fostered by democratic institutions, the latter suggest that a necessary condition for the establishment of democratic institutions is the pre-existence of some kind of a democratic culture (Gross, 2002: 6–7). Yet others avoid this ‘chicken or egg’ problem by merging the two approaches, stressing the importance of both institutions and culture in enhancing the consolidation of democracy (Linz & Stepan, 1996; Diamond, 1997; Plasser et al., 1998). In this thesis, I will rely on these more complex theories.

¹⁵ The concept is based on László Bruszt’s suggestions (personal communication, November 2002).

Most of these complex theories are rooted in the influential works by Juan J. Linz and Alfred Stepan. Linz and Stepan argue that democratic consolidation requires a wide-scale consensus about the basic norms of multi-party parliamentary democracy: no significant social groups should challenge the whole system, and the citizenry, including the political elites, should be committed to the basic norms of democracy (Linz & Stepan, 1996: 4–14). Following Linz and Stepan’s notion of the development of wide-scale consensus among the actors of democracy, Lerry Diamond describes democratic consolidation as the process by which the rules, institutions, and constraints of democracy come to constitute “the only game in town”, i.e., the only legitimate framework for seeking and exercising political power. The name of this game is the transfer of power from one political party or coalition to another through fair competition. This is not to say that this condition needs to be met all of the time in a consolidated democracy; it merely suggests that this must be the main rule, violations of which must be sanctioned (Diamond, 1997: xvi–xvii).

In a similar vein, Fritz Plasser et al. argue that political transformation consists of two phases: transition and consolidation. They define transition as the transformation of the basic political, legal and economic institutions into a democratic model, i.e., as the establishment of the formal and minimal criteria for a democratic regime, such as competition, participation as well as the basic human rights and liberties. Then they define democratic consolidation like this:

Democratic consolidation ... aims at completing regime change by stabilizing the behavioral and attitudinal foundations of democracy. Consolidation thus denotes the continuous marginalization or elimination

of behavior patterns incompatible with the base line of democracy and the stabilizing of those in harmony with it (Plasser et al., 1998: 8).

Transition concerns the transformation of the basic institutions, while consolidation has more to do with the development of institutions and political culture, the latter comprising both behavior patterns and attitudes. Democratic consolidation has thus three interrelated dimensions, namely

- (1) the institutional dimension, i.e., the establishment of democratic institutions and procedures that stabilize social interactions,
- (2) the behavioral dimension, i.e., the rise of consensus among the political elites that the democratic institutions and values are legitimate, including the fact that no significant political group challenges these institutions and values, and
- (3) the attitudinal dimension, i.e., the commitment of the general public to democratic values (Linz & Stepan, 1996; Plasser et al., 1998: 12–34).

Based on the definitions above, the consolidation of media freedom will be defined as *the process which aims at completing the behavioral and attitudinal foundations of the freedom of the media. The consolidation of media freedom thus denotes the continuous marginalization of behavior patterns incompatible with the base line of media freedom and the stabilization of those in harmony with it.* This is not to suggest that there can be no deviations from media freedom in a democratic system, but to say that media freedom must be the main rule, while the institutions, behavior patterns and attitudes that challenge the freedom of the media either need to be justified by

reference to exceptional circumstances such as a war in which the country is engaged (cf. Sparks, 1998: 43), or are considered undemocratic and are marginalized accordingly.

Based on the distinction of transition vs. democratic consolidation, the consolidation of media freedom can be contrasted with what may be called media transition. The latter concept can be defined *as the transformation of the basic media institutions into a democratic model. It is the establishment of the formal and minimal criteria for media freedom, i.e., the abolition of censorship and the creation of a plural media landscape.* By this definition, the consolidation of media freedom is temporarily subsequent to media transition.

Furthermore, it is important to note that the consolidation of media freedom is not an irreversible process. Evidence from some of the most advanced democracies of the world demonstrates that challenges to media freedom may, at least temporarily, grow more significant even after periods marked with the almost total lack of such challenges.¹⁶

How to operationalize the consolidation of media freedom? Following the definitions of democratic consolidation, the consolidation of media freedom is considered to have three interrelated dimensions, and in particular

- (1) the institutional dimension, i.e., the legal establishment of the *institutions* that safeguard the freedom of the media vis-à-vis the political elites and commercial pressure,

¹⁶ See table 1 in chapter 3. This table, based on the Freedom House annual press freedom surveys, shows that, for example, in such consolidated democracies as the United States and Austria, the freedom of the media was steadily declining throughout the years 1994–2002. However, this decline was not substantial: in both countries, the status of the media was described as ‘free’ by Freedom House throughout this period.

- (2) the behavioral dimension, i.e., the rise of consensus among *the political elites* that the freedom of the media is the ‘only game in town’, so that no significant political group challenges the institutions safeguarding media freedom and the very value of that freedom, and
- (3) the attitudinal dimension, i.e., the commitment of *the general public* (as opposed to the political elites, but including the journalistic community as well as non-governmental media freedom watch organizations) to media freedom as legitimate.

The more these institutional, behavioral and attitudinal requirements are met, the more consolidated the freedom of the media is. The establishment of the *institutional requirements* is best assessed in terms of media regulation. Media regulation raises the predictability of social interactions between the media, the political and the business elites, and limits the use of means that they may apply when attempting to influence media content. It aims to eliminate behavior patterns incompatible with media freedom.

The *behavioral requirements* can, on a first level, be operationalized in terms of media policy declarations. A content analysis of such declarations may reveal whether the political elites accept the freedom of expression as the main rule in the media. However, the existence of media policy declarations acknowledging the freedom of expression as legitimate only reveals the surface of the issue. Media policy declarations and actual media policy measures may differ significantly, as transgressions of media freedom are frequently justified by way of rhetorical references to the freedom of expression. For this reason, media policy measures must also be considered. What is of particular relevance here is whether there is political intervention into the freedom of the

media. The political elites may intervene into the media in at least four broad ways; in particular, they may intervene into

- the ownership of the media by way of nationalization, privatization, or the merger of several media outlets in the hands of loyal publishers and broadcasters;
- the distribution of media resources, including information, state and advertising subsidies, printing paper, as well as radio and television frequencies;
- the nomination of top media personnel through the appointment and dismissal of senior editors and
- the editorial content by way of other forms of political pressure.

Finally, the *attitudinal requirements* can be operationalized in terms of the existence or lack of outcry among the general public in the event media freedom is challenged by the political and business elites, such as the organization of street demonstrations, the massive signing of public letters of dissent, etc. Representative opinion surveys on how people evaluate the freedom of expression as a basic democratic value may be another indicator.¹⁷

With the concept of the consolidation of media freedom introduced, the initial puzzle of this thesis described in the introductory chapter (why was media freedom repeatedly challenged in the post-communist democracies after the formal abolition of censorship?) can be rephrased in the following way: *What factors have hindered the consolidation of media freedom in the post-communist democracies?* The dependent variable of this thesis will be the consolidation of media freedom; the independent

explanatory variables and the working hypotheses will be described in detail in chapters 4.–4.3.

2.3. Further key concepts

Before putting forward the working hypotheses of this thesis, some further key concepts need to be defined. The term *print press* will be used to denote print publications that come out on a regular basis and at least once annually, and whose contents are destined for the public (Seregélyesi, 1998: 191). Such publications were numerous in post-communist Hungary and varied in their content; of them, I will focus on those that address politics and figures of public life. *Politics* will be defined as affairs that involve public money, while *public figures* are those who make decisions about public money (cf. Vajda & Weyer, 1998: 236–237).¹⁷ The term *broadcast media* is normally used to refer to the electronic means of mass communication, including newsreels, radio, television, video, cinema, compact disks, CD-ROMs and the Internet (Downes & Miller, 1998: 1). Of these, I will focus in this thesis on radio and television because of their more massive reach and potential political impact. In Hungary, as well as in most other countries in East Central Europe, the print press and the broadcast media developed in fundamentally different ways. For this reason, I will make a distinction between the two whenever

¹⁷ For more on how the process of the consolidation of media freedom can be assessed, see chapters 6., 7., and 8.

¹⁸ Another understanding of the concept of figures of public life would include all those who feature in the news, including various artists and sportsmen, i.e., those who voluntarily renounce of a part of their privacy. Because, however, the activities of these people are irrelevant for democracy, I will not consider them as public figures.

necessary, i.e., when it comes to their historical, technological or regulatory background. Otherwise the two will be treated as one.

Journalists were key actors in the transformation of the Hungarian media, but who qualifies as a *journalist*? Historically, journalism emerged as the profession of those who know how and where to find relevant information, what is of interest for the public, and how to deliver that information in such a way that the public understands it. Functionally, journalists are those who derive most of their revenues from their journalistic work, are members of a professional organization, and follow the written and unwritten rules of the profession. Membership in a journalists' organization gives them a group identity, institutionalized forms of interest representation as well as various privileges such as free entry into some museums, favorable interest rates when opening a bank account, and so on. Ideally, membership in a professional organization also provides them with a code of ethics and practice to follow (Høyer & Lauk, 1995: 76–78). At the same time, however, many intellectuals in Hungary, as well as in other countries, published articles in the print press or commented on current affairs on radio and television without meeting any of the abovementioned criteria. I chose not to consider them journalists, partly because existentially they were not dependent on their publications and therefore they were largely untouched by political attempts to exert pressure on the media, and partly because they did not have a professional identity as journalists. The term journalist will denote professional journalists only, with a focus on political journalists, i.e., the journalists of the news magazines of the public service and commercial broadcast media, as well as of the daily and weekly print publications dealing with politics.

A further key issue in this thesis will be Hungary's *media policy* under the subsequent governments. Ideally, media policy is the outcome of the interplay of various social actors, including politicians, civil servants, the regulatory bodies, the media institutions and citizens' organizations; media policy makers search for consensual solutions (Hutchison, 1999: 125–140). In a Western European context, media policy typically aims to provide for balance and impartiality in the nationwide broadcast media (Brants & Siune, 1998: 130–131) and diversity of views in the print press and local broadcasters (Bens & Østbye, 1998: 13–14). As a part of this effort and to enable the public to gather the information that they need in order to make informed decisions, media policy aims to eliminate both political and commercial censorship. Media policy makers primarily conceive of the media as a forum for the political information of the citizenry.

In Hungary in the 1990s and early 2000s, the understanding of media policy differed from that in advanced democracies: most political parties considered the media a tool of political agitation and propaganda. Accordingly, media policy makers regarded the media as a means of political mobilization and indoctrination rather than political information. The abovementioned slogans of balance, impartiality and diversity were rarely translated into policy measures. Media policy was not the outcome of the interplay of a variety of actors but an instrument in the hands of the government of the day. In short, media policy in post-communist Hungary was rarely a public policy, i.e., one serving the public, but one serving particular interests. With this in mind, the term media policy will be used in this thesis to denote the legislative and administrative measures that the Hungarian governments made with regard to both the print press and the broadcast

media. It will also be used to refer to the subsequent governments' philosophy of and attitudes toward the media and the journalistic community.

The concept of *media war* also needs to be given some explanation. This term is not used in established political science or media studies; it is a metaphor that was widely applied by journalists and editorialists in post-communist Hungary to describe the struggle for the control of the media, and the resistance provoked by that struggle, before it reached the academic literature. Other terms borrowed from the military terminology—such as ‘conquest’, ‘camps’, ‘fronts’, ‘arms’—have also been widely used with reference to the conflict over who controls the Hungarian media (cf. Sükösd, 1992; Szekfű, 1997; Haraszti, 1999b; Gellért Kis, 2000; Varga, 2001).¹⁹ It needs to be noted that Hungary's media war, unlike the conflicts between the political elites and journalists in some other parts of the world, has not resulted in any physical violence.²⁰

In this thesis, the expression media war will be used to denote the two major levels of the conflict, i.e., both actions and discourse. The *actions* include the various forms of political intervention into the media, such as, for example, the dismissal of critical journalists and the appointment of loyal ones, street demonstrations, the establishment of new titles and the closing down of old ones. The *discourse* comprises the normative debate over the social and political role of the media that accompanied these events throughout the 1990s and early 2000s. A common understanding of the

¹⁹ The term ‘war’ has been used in other post-communist countries too to describe the political elites' attempts to control the media (cf. Nikolchev, 1997; Ociepka, 2001).

²⁰ Two violent incidents, however, may have been loosely linked with the media war. János Fenyő, one of the leading media owners in Hungary was murdered on February 11, 1998; although the police have not yet closed the case, it cannot be excluded that his execution was politically motivated. On December 27, 1999, a hand grenade was thrown to the courtyard of *Élet és Irodalom*, a political-cultural weekly publicizing several investigative reports, causing no injuries.

media war is that it was a kind of a *Kulturkampf*: a conflict between the various groups of society advocating different concepts of culture, including the freedom of expression. Some stressed the media's role in maintaining national traditions and culture and hence argued for state control of the broadcasters, others promoted media diversity and dismissed state intervention. Referring to the deep cultural cleavages dividing the various actors of the media war, some also define it as “a part of the class struggle” (Lázár, 1992a) or a “struggle of tribal conflicts” (Ágh, 1992: 51).

The Hungarian media war began in October 1990. It has arguably continued up to the time of writing,²¹ and accompanied slightly more than three parliamentary cycles, including those of the first and second right/conservative coalition governments (1990–1994, 1998–2002), the first left/liberal coalition government (1994–98), and the first year of the second left/liberal coalition government (2002–).²²

Censorship is intervention from an external source that restricts, modifies or removes press and media content that would otherwise be publicized (Weymouth & Lamizet, 1996: xix). Overt censorship is ordinarily justified by reference to some outstanding public interest that the information destined for publication may jeopardize. It is the selective suppression of certain views in favor of others; it is a form of propaganda (Brown, 1971: 15).

The term *propaganda* describes deliberately planned and systematic activities that aim to change the opinions, attitudes and behavior patterns of others, without necessarily resorting to physical force. It is often used as a synonym for manipulation and

²¹ This thesis was concluded in June 2003.

brainwashing. Propaganda uses symbols rather than arguments (Brown, 1971: 9–19).²³ Propaganda has two basic forms: ‘success propaganda’ that stresses and exaggerates the results of one’s own political group in order to enhance its legitimacy, and ‘catastrophe propaganda’ that focuses on and exaggerates the failures of one’s political rivals in order to undermine their legitimacy (Ociepka, 2001: 110; see also Tamás, 2002: 478).

Political propaganda has marked practically all regimes in history to date, but was particularly strong in such totalitarian regimes of the first half of the 20th century as Hitler’s Third Reich and Stalin’s Soviet Union. As these regimes and their leaders were lacking the democratic legitimacy gained through free, fair and regular elections, they had recourse to the media in an attempt to mobilize popular support and considered the media a tool to raise their legitimacy. The dictatorial regimes approached the media as an agent of legitimization through propaganda. The approach of the democratic systems, diametrically opposed to the authoritarian regimes’, is based on the idea that the media enhance the legitimacy of the political elites by way of holding them accountable to the public.²⁴

The impact of propaganda upon public opinion needs also be briefly considered, as the very use of propaganda implies a simple ‘cause–effect’ or ‘stimulus–response’ premise. It assumes that the media have a direct and strong impact on people’s opinions, attitudes and (voting) behavior. This premise is also called the ‘magic bullet’ or

²² For more on post-communist Hungary’s government coalitions, see chapter 2.4. For more on the outbreak and history of the media war, see chapter 5.2.

²³ The word ‘propaganda’ originates from the Latin *propagare*, which denotes the gardener’s pinning the fresh shoots of a plant into the earth in order to reproduce new plants. Although the term has been used in a political context since the early 20th century, originally it was used to describe the Catholic Church’s missionary activities abroad under the guidance of the Congregation of Propaganda, established by Pope Urban VIII in 1633 (Brown, 1971: 10–11).

‘hypodermic needle’ model of mass communication, as it assumes that press and media messages hit the audiences without any resistance. This view is about as old as printing is, although it was not formulated as a coherent approach until the massive rise of the broadcast media in the 1930s. However, the first empirical surveys conducted in the 1940s questioned the impact commonly attributed to political propaganda. Elihu Katz and Paul F. Lazarsfeld demonstrated in a longitudinal study on the impact of a 1940 presidential electoral campaign in the United States that personal communication has a greater impact upon people’s choices than the media.²⁵ Katz and Lazarsfeld also found that newspapers, radio and television tend to reinforce, rather than change, people’s existing attitudes, opinions and behavior.²⁶

The cause–effect model also presumes that press and media messages have but one single reading, and that people are passive and uncritical media consumers. This premise has been disproved, among others, by David Morley who has demonstrated that messages tend to be polysemous, i.e., they have multiple readings.²⁷ He has also shown

²⁴ See also the concept of the ‘fourth estate’ or ‘public watchdog’ described in chapter 2.2.

²⁵ At the same time, however, Katz and Lazarsfeld also noted that some people—the ‘opinion leaders’—were more heavily influenced in their choices by the press and media than non-leaders: “People tend to vote, it seems, the way their associates vote: wives like husbands, club members with their clubs, workers with their fellow employees ... the leaders reported much more than the non-opinion leaders that for them, the mass media were influential ... a new idea emerged—the suggestion of a ‘two-step flow of communication’. ... ideas, often, seem to flow from radio and print to opinion leaders and from them to the less active sections of the population” (Katz & Lazarsfeld, [1955] 1995: 128).

²⁶ This phenomenon is best explained by the theory of ‘selective exposure’ which suggests that people search for press and media contents that comply with their own concepts of the world, and avoid those that, as conflicting with their own views, may cause cognitive dissonance: they do not buy the newspapers whose views differ from theirs, and they turn off radio and television when they dislike their programs. In the event when they somehow encounter unwanted content, they exercise ‘selective perception’, i.e., ignore the opinion that they do not agree with (Klapper, 1960).

²⁷ The actual meaning attached to a sign is a function of a number of variables independent from media content, such as the psychological state of the viewers, their social and economic status, subculture, the context of media usage, and so on.

that people encode the mediated messages actively and critically, i.e., they are users, rather than consumers, of the media.²⁸

In sum, most researchers agree that the direct effect commonly attributed to propaganda has never been unambiguously confirmed by empirical evidence. They suggest that such use of the media has very little, if any, short-term impact (Angelusz, 1983: 86–134; McQuail, 1994: 326–335; Newbold, 1995: 118–123; O’Sullivan et al., 2002: 167–176).²⁹ Whether a change in one’s opinion is reached depends largely on the nature of the opinion targeted.³⁰

Although the term propaganda has a negative connotation in democratic systems, some forms of political propaganda may be compatible with democracy. Democratically elected governments also need to communicate and explain their policies to the electorate through the media, and manage their public image. Since the rise of radio and especially

²⁸ Morley concludes in his classic study that “[w]hat one may find interesting may bore another. One person may respond positively to the government spokesman’s latest announcement about economic policy while another may feel like throwing the cat at the television ... Because we all bring to our viewing those other discourses and sets of representations with which we are in contact in other areas of our lives, the messages that we receive from the media do not confront us in isolation. They intersect with other messages that we have received—explicit and implicit messages, from other institutions, people we know, or sources of information we trust. Unconsciously, we sift and compare messages from one place with those received from another. Thus, how we respond to messages from the media depends precisely on the extent to which they fit with, or possibly contradict, other messages, other viewpoints that we have come across in other areas of our lives” (Morley, 1980: 76–77).

²⁹ As Joseph T. Klapper’s concludes in his oft-quoted study on media effects, “mass communication does not ordinarily serve as a necessary or sufficient cause of audience effect, but rather functions through a nexus of mediating factors” (Klapper, 1960: 81). To say that the press and media do not have a direct, short-term impact upon people’s political choices does not imply that they do not affect cultural values on the long run. As George Gerbner has convincingly demonstrated in his study on television, they do have a slow, cumulative impact on how people perceive culture, i.e., television may ‘cultivate’ people’s beliefs (Gerbner, 1969).

³⁰ Opinions are more likely to change when (a) they concern a topic indifferent for the opinion holder; (b) the opinion holder’s opinion is close to that received from the media; (c) the opinion holder’s opinion is not intense; (d) the opinion holder’s opinion is cognitively loose; (e) the opinion holder has no experience contradictory to the opinion received from the media; and (f) the opinion holder is not exposed to personal communication contradictory to the opinion received from the media (Angelusz, 1983: 126–127).

television, the ‘mediatization’ of politics has become a worldwide phenomenon.³¹ Political action without some political propaganda in the media is commonly considered a waste of time and energy in the democratic political contest. Propaganda under democratic circumstances, also described as ‘public relations’, ‘political communication’, or ‘political marketing’, has become a profession: politicians employ professional communicators or ‘spin doctors’ who advise them on how to act and speak publicly. Normally, various themes are introduced into the public discourse by journalists who act as ‘information gatekeepers’: they let into the public discourse those pieces of information that they consider newsworthy, while deny access to others.³² Spin doctors try to influence journalists’ perception of what is newsworthy, and to introduce new topics into the public discourse through the media by means of press releases, press conferences, the organization of public wreathing ceremonies, solemn road openings and other symbolic actions that focus public attention on phenomena that are favorable for their own political group. Censorship, i.e., the suppression of unwanted information, forms the boundary between legitimate and illegitimate political propaganda (cf. Brown, 1971: 16).

³¹ The first radio stations began broadcasting around 1920; radio was first used as a means of political marketing by presidential candidate Herbert Hoover during his successful 1928 electoral campaign. Franklin Delano Roosevelt, President of the United States after Hoover, also played a great part in transforming formerly sophisticated political speeches into simple messages easily understood by all (Kotroczó, 2002: 24–25). The very concept of ‘mediatization’ refers to the fact that modern democratic political competition takes place in the media rather than in parliament; it has been observed for example that whenever parliamentary sessions are broadcast on television, members of parliament address their speeches to viewers rather than their fellow MPs (Sartori, 1993: 221; see also Sükösd, 1993: 32–39; Kunczik, 2001: 85–86).

³² As McCombs and Shaw conclude in their classic study, “[i]n choosing and displaying news, editors, newsroom staff, and broadcasters play an important part in shaping political reality. Readers learn not only about a given issue, but also how much importance to attach to that issue ... In reflecting what candidates are saying during the campaign, the media may well determine the important issues—that is, the media may set the ‘agenda’ of the campaign. ... The pledges, promises, and rhetoric encapsulated in news stories,

2.4. The political actors of post-communist Hungary

Finally, the most significant political parties and government coalitions of post-communist Hungary need to be briefly described. The major cleavages dividing the Hungarian political arena can be drawn along the ideological stances of the four subsequent post-communist government coalitions. Hungary's first free legislative elections in 1990 gave a majority to a right/conservative coalition government gathering the national conservative Hungarian Democratic Forum (MDF), the national, conservative and rural Independent Smallholders Party (FKgP), and the Christian Democratic Party (KDNP). The opposition parties of the first parliamentary cycle included the radical liberal Free Democrats Association (SZDSZ), the moderate liberal Young Democrats Association (Fidesz), and the Hungarian Socialist Party (MSZP). MSZP was one of the successors of the communist Hungarian Socialist Workers Party, but had switched to a pragmatic social democratic ideology.

The second legislative elections in 1994 brought victory to a left/liberal coalition between MSZP and SZDSZ. The parties of the opposition included MDF, FKgP, Fidesz, and Hungarian Democratic People's Party, a moderate conservative party formed by the former 'liberal' wing of MDF.

The third legislative elections in 1998 brought Fidesz to power. This party which had, in the meantime, switched to a national Christian conservative ideology, and

columns and editorials constitute much of the information upon which a voting decision has to be made" (McCombs & Shaw, [1972] 1995: 153).

changed its name to Fidesz–Hungarian Civic Party (Fidesz–MPP), formed a coalition with MDF and FKgP. The opposition parties of this period included MSZP, SZDSZ, as well as the Party of Hungarian Life and Justice (MIÉP), an extreme-right party created by the radical members of MDF.

Finally, the 2002 legislative elections brought victory to a second left/liberal coalition government formed by MSZP and SZDSZ. This time, only two opposition parties made it to Parliament, including Fidesz–MPP and MDF.

3. Status of the media in a comparative perspective

The transformation of the media from a totalitarian or authoritarian into a libertarian or socially responsible model has been problematic in all countries of post-communist East Central Europe. Although censorship was formally abolished around 1990, the past 13 years have seen several examples of political intervention into, especially, the public service media: political conflicts culminated around the nomination of the members of the broadcasting councils and the general directors of the public service broadcasters (e.g., Hankiss, 1996; Klvana, 2001; Metykova, 2001; Mungiu-Pippidi, 2001; Sükösd & Bajomi-Lázár, 2003a). Analysts also point to intense judicial pressure on journalists in some countries (Dragomir, 2001). In some post-communist countries such as Russia and Serbia, even the life of critical journalists has been jeopardized (Simonov, 2001; Törőcsik, 2002). The means applied by the political elites in the different countries

varied, and so did the intensity of political pressure, but their objectives—the silencing of critical voices and the enhancing of loyal ones—were the same.

To be sure, one could argue that political pressure on the media is not a specifically post-communist phenomenon, as the political elites have repeatedly challenged the freedom of the media in the advanced democracies as well. France is often cited as a country where political pressure on some of the media has been intense in recent decades.³³ In Italy, Prime Minister and media tycoon Silvio Berlusconi has exerted pressure on both the public and the private media.³⁴ Even in the United Kingdom, where the independent media have had a long historical tradition, there has been some political pressure on the media.³⁵ The list of examples of advanced democracies with political pressure on the media could go on.

The intensity of political pressure on the media in the various countries is not easy to compare as most studies that offer an insight into the media landscapes of several countries—for example, the annual reports of the Committee to Protect Journalists,³⁶

³³ Bernard Lamizet even claims that “[f]or decades after 1945 French television was widely used by government as an instrument of propaganda in the furtherance of presidential or other official powers” (Lamizet, 1996: 89).

³⁴ Pier Palo Giglioli describes Berlusconi’s first office term (1994) like this: “Once he was in office, the lack of any legislation forcing politicians to break direct an indirect links with their assets allowed him to enlist the support of his television networks in backing his policies. ... Moreover, Berlusconi could also count on the support of at least one of the three public channels, thus he was also able to influence most of the television news in the country” (Giglioli, 2001: 172). In 2002, Berlusconi was re-elected and has been reported to have exerted a great deal of influence on the press and media again.

³⁵ Some of the most frequently mentioned examples of political censorship on the media in the United Kingdom are the British government’s ban on the broadcasting of the voice of Sinn Fein members (Sparks & Reading, 1998: 42–43), and the Independent Broadcasting Authority’s instruction to all commercial radio stations and television channels not to broadcast “No Future”, a song performed by a punk rock band called the Sex Pistols that insults the Queen, on the ground that it is “against good taste or decency, likely to encourage or incite to crime, or lead to disorder” (quoted in Savage, 1991: 349).

³⁶ See also www.cpj.org/attacks01/pages_att01/attacks01.html; downloaded on February 25, 2003.

those of the Reporters Sans Frontières (RSF),³⁷ and the irregular reports by the Index on Censorship³⁸ and the International Freedom of Expression eXchange³⁹—rely on undefined qualitative methods. The only longitudinal quantitative comparative studies that allow for a cross-country comparison are the above-mentioned press freedom surveys of the Freedom House (FH), released on an annual basis.⁴⁰

As the homepage of the Freedom House reveals, the FH press freedom surveys take Article 19 of the *Universal Declaration of Human Rights* as a basis for the assessment criteria, and focus on the individual rather than the whole of the media.⁴¹ They are based on three criteria, namely

- (1) the structure of the news delivery system and its influence on media content,
- (2) political intervention into the media, including access to information and sources, censorship, the intimidation of journalists, and
- (3) economic influence on the media, including pressure by government funding, corruption, withholding government advertising, bias in licensing and quotas for newsprint, as well as the negative impact of market competition on the private media.

The Freedom House studies are based on information collected by correspondents, visiting FH staff, human rights organizations and the like, which allows

³⁷ www.rsf.org/article.php3?id_rubrique+144; downloaded on February 25, 2003.

³⁸ www.indexonline.org; downloaded on May 25, 2003.

³⁹ www.ifex.org; downloaded on April 25.

⁴⁰ More recently, RSF has also provided quantitative data on 139 countries based on a 50-item questionnaire that was sent out to local journalists, researchers and legal experts. The scores calculated on the basis of their answers are a useful tool of international comparisons (see www.rsf.org/article.php3?id_article=4116, downloaded on February 25, 2003). However, as the data provided by RSF do not cover former years, they are unfit for the purposes of this thesis.

⁴¹ For more on Article 19, see chapter 2.1.

for a certain degree of subjectivity in scoring the various countries. However, the Freedom House is generally recognized as a prestigious and reliable source of information. In addition to quantified data, it also releases qualitative descriptions of each country on an annual basis.

Table 1 below, based on the FH annual surveys, compares the status of the media in selected countries. This table includes a selection of countries in Western and East Central Europe, as well as the United States of America. The higher the score, the more intense the pressure on the media. The nine-year average scores are added to the original table. The post-communist countries that were to join the European Union (EU) in 2004 are marked in grey; Hungary is highlighted in bold. The rating under the subsequent years refers to the date of issue, i.e., for example 10 under “Norway/1994”, refers to the period January 1–December 31, 1993.

Table 1. Freedom House annual surveys of press freedom, 1994–2002 (selected countries)

	1994	1995	1996	1997	1998	1999	2000	2001	2002	Average
Norway	10	8	5	5	5	5	5	5	9	6.3
Belgium	7	7	10	10	10	9	9	9	9	8.8
Denmark	11	9	9	9	9	9	9	9	9	9.2
Sweden	11	10	10	10	10	10	11	10	8	10.0
USA	12	12	14	14	12	13	13	15	16	13.4
Germany	11	18	21	11	11	13	13	13	15	14.0
Finland	17	15	15	15	15	15	15	14	10	14.5
Netherlands	14	18	14	14	14	14	14	15	15	14.6
Austria	19	18	12	12	12	12	12	14	24	15.0
Malta	27	24	17	17	17	17	17	14	13	18.1
Cyprus	30	24	16	18	18	16	16	18	18	19.3
UK	24	22	22	22	21	20	20	17	18	20.6
Czech Rep.	20	21	19	19	19	20	20	24	25	20.7
Estonia	28	25	24	22	20	20	20	20	18	21.8
Lithuania	30	29	25	20	17	18	20	19	19	21.8
Latvia	29	29	21	21	21	21	24	24	19	23.2

Poland	30	29	21	27	25	25	19	19	18	23.6
France	19	27	30	26	26	27	24	21	17	24.1
Italy	25	30	30	27	27	28	27	27	27	27.5
Slovenia	40	37	27	28	27	27	27	21	20	28.2
Hungary	30	38	34	31	28	28	30	28	23	30.0
Bulgaria	43	39	46	44	36	39	30	26	29	33.8
Slovakia	47	55	41	49	47	30	30	26	22	38.5
Romania	55	50	49	47	39	44	44	44	35	45.2
Russia	40	55	58	53	53	59	60	60	60	55.3
Albania	53	67	71	75	56	56	56	56	48	59.7
Yugoslavia	86	87	77	75	75	81	81	56	45	73.6

Scores: 0–30 = free; 31–60 = partly free; 61–100 = not free

Source: <http://www.freedomhouse.org/research/ratings.XLS>

(downloaded on January 21, 2003.)

As the Freedom House studies focus on political interference and pay much less attention to commercial pressure (see the assessment criteria described above), one can safely argue that a greater score equals a greater deal of *political* pressure. The average scores in table 1 thus reveal that in the 1990s and early 2000s (except for the first three years of the 1990s, as there are no data on the Freedom House website on the period 1990–92), *the media encountered, as a general rule, more intense political pressure in the post-communist countries than in the advanced Western democracies*. Of the countries listed in table 1, the exceptions to this general rule are France and Italy.

Table 1 also reveals that, despite the greater intensity of political pressure on the media in the East than the West, the scores of the East Central European countries in the 1990s and early 2000s displayed a gradual improvement, i.e., *a gradual decrease in the intensity of political pressure on the media*. The status of media freedom as measured by the Freedom House was approaching that of the advanced democracies toward the end of the period studied. In most of the post-communist countries, the media in the early 1990s

were rated by the Freedom House as ‘partly free’, i.e., points 31–60 as well as the upper 20s, whereas by the end of the decade most of them were described as ‘free’, i.e., points 1–30 and especially the lower 20s. In particular, in the period 1994–2002, Estonia displayed a ten-point improvement (28 → 19 points), Lithuania an 11-point improvement (30 → 19 points), Latvia a ten-point improvement (29 → 19 points), Poland a 12-point improvement (30 → 18 points), Slovenia a 20-point improvement (40 → 20 points), Hungary a seven-point improvement (30 → 23 points), Bulgaria a 14-point improvement (43 → 29 points), Slovakia a 25-point improvement (47 → 22 points). Even in the countries whose status of press freedom was qualified as ‘partly free’ or ‘not free’ displayed a significant improvement in the period under discussion (55 → 35 points for Romania, 53 → 48 points for Albania, and 86 → 45 points for Yugoslavia). In all of these countries, the freedom of the media was improving throughout the 1990s and early 2000s. The exceptions to this general rule are the Czech Republic and Russia where the intensity of political pressure on the media increased, displaying a five-point deterioration in the Czech Republic (20 → 25 points) and a 20-point deterioration in Russia (40 → 60 points), although the Czech Republic was qualified as having ‘free’ media throughout the period.

The average scores in table 1 also show that, as a general rule, *political pressure on the media was less intense in the EU-candidate than the non-candidate post-communist countries*. (The countries that were to join the European Union being the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia,⁴²

⁴² Non-post-communist candidate countries, i.e., Malta and Cyprus, are not considered here because of their different historical legacies.

and the non-candidate post-communist countries listed in table 1 (Bulgaria, Romania, Russia, and Yugoslavia.)

Furthermore, table 1 shows that, according to the average scores, *political pressure on the media was more intense in Hungary than the other post-communist EU-candidate countries*. The only exception to this rule is Slovakia; however, even in Slovakia the intensity of political pressure on the media decreased significantly in the early 2000s, and this country displayed an impressive 25-point improvement in the period studied, as opposed to Hungary's seven-point improvement. Slovakia's average score in the years 2000–2002 was also slightly better than that of Hungary (26 vs. 27 points).⁴³ At the same time, *political pressure on the media was less intense in Hungary than in the non-candidate post-communist countries*.

In short, table 1 suggests that there is something about the countries of East Central Europe that makes the freedom of the media more vulnerable than in the Western European countries and the United States of America. The specificities of the post-communist democracies—that is, presumably their common communist historical legacy and poor economy—have made political pressure on the media more likely to occur than the specificities of advanced democracies. Furthermore, table 1 also shows that, among the more advanced, i.e., EU-candidate post-communist countries, Hungary is something of a 'worst practice' as regards the freedom of the media and, consequently, the media policies of the post-communist governments. A study of Hungary's outstanding case seems therefore particularly revealing of the problems of post-communist media transformation; an analysis of this process may help identify those factors that hinder the

consolidation of media freedom in the countries of East Central Europe. The special situation of the media in Hungary relative to other EU-candidate countries as well as to the non-candidate countries of East Central Europe is all the more appealing to study as the evident uniformities in the social, economic, cultural and political backgrounds of the post-communist countries make a useful ground for comparison.⁴⁴

⁴³ For more on the case of Slovakia, see chapter 6.1.

⁴⁴ For a further discussion of table 1, see chapter 6.1.

4. Literature review and working hypotheses

Most comparative studies on the transformation of the media in post-communist East Central Europe devote paragraphs or chapters to Hungary (Splichal, 1994; Giorgi, 1995; Paletz et al., 1995; Downing, 1996; Flesch, 1996; O’Neil, 1997b; O’Neil, 1998; Sparks & Reading, 1998; Gross, 2002). Professional organizations such as the Network Media Program of the Open Society Institute, the Committee to Protect Journalists and the International Journalists Association have also studied the region and in particular Hungary. Conferences have been organized,⁴⁵ resulting in several publications addressing the persistence and intensity of political pressure on the media (e.g., Bajomi-Lázár & Hegedűs, 2001; McGil Murphy, 2002; Sükösd & Bajomi-Lázár, 2003b).

Several case studies analyzing the transformation of the Hungarian media have been conducted, without putting the case of Hungary into an international comparative perspective (e.g., Farkas, 1990, 1991a, 1991b; Lázár, 1992a; Sükösd, 1992; Kováts & Whiting, 1995; Hankiss, 1996; Szekfű, 1997; Vásárhelyi, 1998a; Haraszti, 1999b; Gellért Kis, 2000; Kéri, 2000). These studies tend to focus on particular issues and periods rather than the whole context and history of the media in post-communist Hungary. Only a few works cover the entire period (Bajomi-Lázár, 2001; Varga, 2001). A large number of editorials and other short publications have also commented on current political events that pertained to the freedom of the media.

⁴⁵ For example, the Open Society Institute’s Network Media Program, along with other foreign and domestic organizations, held a conference series in Budapest in the year 2000 on the interplay of media and politics; the International Journalists Federation organized an international conference under the slogan “Save Public Broadcasting” in Budapest on February 15–16, 2002.

The various media researchers who studied the problems of media transformation in the region in general and in post-communist Hungary in particular focus on different dimensions of the consolidation of media freedom. Some of them address the issue from an *institutional* perspective, others pursue a *behavioral* approach, yet others focus on the *attitudinal* dimension of the consolidation of media freedom, although few of them use these very terms. Some authors combine these approaches, but none of them assess the relative weight of the institutional, behavioral and attitudinal factors in accounting for the persistence of political pressure on the media. Although these approaches recur in the media transformation literature, systematic empirical evidence to test their plausibility is still missing.

In this thesis, I will first reconstruct the explanatory theories that various media researchers have put forward in an attempt to explain why the freedom of the media has not consolidated in some of the region's countries. Then I will break down these explanatory theories into working hypotheses, and put them to test against the available evidence.

4.1. The institutional dimension

Those pursuing the *institutional approach* argue that the new institutions safeguarding the independence of the media in post-communist Hungary (and in most other countries of East Central Europe) were not established or were established the wrong way—that is, the institutional requirements for the consolidation of media freedom were lacking. In an

introduction to a comparative study on the status of the media in post-communist East Central Europe, Andrew K. Milton suggests that

institutional legacies, left by incomplete legal reform, in which the role and valuation of the news media as an institution are carried over from the state socialist period, constrain the complete democratic re-institutionalization of the news media. In consequence, their performance has fallen short of rhetorical expectations (Milton, 1997: 8).

As Milton further observes, the democratic re-institutionalization of the press and media in the post-communist societies is a two-step process, comprising the deconstruction of the communist structure and the construction of new press and media laws and organization (Milton, 1997: 15). Various authors criticized different aspects of the re-institutionalization of the media following this argument, pointing out that the reasons responsible for the persistence of political pressure on the media include either the late deconstruction of communist institutions or the failure of the newly established ones to guarantee the media's independence vis-à-vis the political elites. Most of them addressed the issue of broadcasting and press regulation (Sükösd, 1992; Gálik, 1994; Gellért Kis, 1997; Vásárhelyi, 1998; Szente, 2001). They also noted, among other things, obsolete defamation laws (e.g., Gross, 2002: 75–76), and precedents established by regular and constitutional courts in applying existing laws (Fleck, 1988; Dragomir, 2001).

Based on the observations above, the hypothesis can be formulated that *fast and well-designed institutional change of the media fosters the consolidation of media freedom in the post-communist democracies, whereas slow and badly designed institutional change hinders it* (hypothesis 1). As mentioned, the institutional dimension

of the consolidation of media freedom is best assessed in terms of media regulation. However, there is no space here to review and compare all aspects of press and media regulation in the post-communist countries. For this reason, my analysis of the institutional dimension will focus on three issues that seem particularly relevant for the case. I will take a look at whether a broadcasting act has been passed and whether, once passed, it managed to safeguard the freedom of the *broadcast media* vis-à-vis the political elites. I will also inquire whether the basic institutions that safeguard the freedom of the *print press* vis-à-vis the political elites have been established. The next two chapters will offer an explanation for why these selected issues deserve special attention.

4.1.1. The institutional background of the broadcast media

In an early study on the persistence of political pressure on the media in post-communist Hungary, Miklós Sükösd argues that

[t]he reason for the media war is ... the lack of the regulation of broadcasting in Hungary. ... There are some obsolete laws on the media that do not regulate several questions. ... In my view, [the future broadcasting act] will provide guarantees that diminish the intensity of the media war (Sükösd, 1993: 44–46).⁴⁶

⁴⁶ All quotations taken from Hungarian are my translation – PBL.

Sükösd refers to the fact that in the early 1990s the political elites relied on obsolete regulation in order to justify political intervention into the media.⁴⁷ In the second half of the 1990s, following the passage of the Radio and Television Act, media policy analysts argued that the law had failed to guarantee the freedom of the media. For example, Gábor Gellért Kis observed in 1997 that

compared with the former situation of media war, the only difference is that now the legislator has moved the conflict from Parliament to the institutions of the public media, including the National Radio and Television Board, the boards of trustees and the public corporations. ... The organizations that were originally designed as a buffer mechanism institutionalize rather than exclude political influence (Gellért Kis, 1997: 69–70).

A similar criticism was made by Mária Vásárhelyi a year later:

The only outcome of the forced compromises of the broadcasting act was the institutionalization of political intervention into the public media ... the way every position was fulfilled at the institution [i.e., the National Radio and Television Board] was determined by political considerations (Vásárhelyi, 1998b: 220).

In a similar spirit, Péter Szente criticized the Radio and Television Act of 1996 for its alleged failure to provide for the political and financial independence of the broadcast media. He observed that

⁴⁷ For more on this, see chapters 5.2.2. and 5.2.3.

the law of 1996 has failed to establish the institutional structures and financing methods that would have guaranteed the independence and manageability of the electronic media and in particular of the public service broadcasters (Szente, 2001: 48).

Given the two major paths of argumentation described above in this chapter, two subsequent periods need to be distinguished and two different methods need to be applied when testing the validity of the institutional argument regarding the broadcast media. Firstly, in the period 1990–1995, there was no radio and television law in Hungary. The media were regulated by a number of provisions in other laws and agreements between the political parties. My hypothesis regarding this period is that *early broadcasting legislation fosters the consolidation of media freedom, whereas late broadcasting legislation hinders the consolidation of media freedom in the post-communist democracies* (hypothesis 1a). In order to test this hypothesis, I will proceed with a two-step comparative analysis: I will take a look at whether the post-communist countries with an early passed broadcasting act scored better in the Freedom House surveys (cross-country comparison), and whether the passing of broadcasting acts improved the status of media freedom in the various post-communist countries (longitudinal intra-country comparison). If the post-communist countries with an early passed broadcasting act performed better according to the FH annual press surveys, and the passing of the broadcasting acts has improved the status of media freedom as measured by the Freedom House, hypothesis 1a is confirmed. If, however, this is not the case, hypothesis 1a must be dismissed.

Secondly, in late 1995 the Hungarian Parliament passed the Radio and Television Act and in early 1996 the President of the Republic ratified the law. My hypothesis

regarding the post-1996 period is that *well-designed broadcasting regulation fosters the consolidation of media freedom in the post-communist democracies, whereas badly designed regulation hinders it* (hypothesis 1b). This hypothesis may be tested by way of a comparative analysis of media regulation and media freedom in Hungary and advanced democracies during the second half of the 1990s. In order to do this, I will compare the most important provisions of the 1996 Radio and Television Act with the broadcasting regulation of selected advanced democracies whose media were described by the Freedom House annual press surveys as ‘free’. In particular, following the argument put forward by Péter Szente, I will focus on two aspects of media regulation that are particularly relevant for the case of political pressure: the nomination of the broadcasting councils and the funding of the public service institutions. If broadcasting regulation in post-communist Hungary did not comply with the standards of the selected advanced democracies, hypothesis 1b is confirmed. If it did, the hypothesis must be rejected.

4.1.2. The institutional background of the print press

In 1989, the old, communist institutions regulating print publication were deconstructed in Hungary with the abolition of the newspaper licensing, state subsidies and the state monopoly of newspaper distribution. However, new, democratic institutions safeguarding the freedom of the print press may not have been established. Analysts argue that political intervention into the print press was possible because few titles could survive on commercial revenues alone. As Barbara Trionfi notes,

[w]hile state subsidies in return for unacceptable state supervision over journalistic freedom are gone, media outlets have had to find new ways to finance their activities. And this, in most cases, has been within very weak economic environments that affect people's ability to buy newspapers and lead to an even weaker advertising market. Not being able to rely on revenue from advertising has forced media outlets to seek financing from political parties or private financiers who, in return, have sought to influence the content of the news reported or the opinions expressed (Trionfi, 2001: 94–95).

The same observation has been made by Zoltán Kovács, editor-in-chief of *Élet és Irodalom* (Life and Literature), a Hungarian political and cultural weekly:

Advertising receipts, constituting a more significant proportion of the proceeds of newspapers, are still, or even more than before, the result of personal relationships, or even of political affiliations and consequently the publisher is a key figure who is more committed to his own economic and political interests than to authentic information (Kovács, 2001: 140).

The Hungarian newspaper market was too small, it is argued, to sustain a sufficient number of titles. The small size of the market in terms of both the audiences and advertisers hindered editorial independence and media diversity. The scarcity of resources, the argument continues, has either lead to the loss of editorial independence vis-à-vis the political parties or a decrease in the number of titles. Without an institutionalized press fund subsidizing the loss-making political quality press, unprofitable newspapers, which constituted the large majority of the titles, had no other choice than either to become the loudspeakers of a political party, and thus obtain the funding necessary for survival, or cease publication. In a constant struggle for scarce resources, most newspapers allied with the political elites. The principle of politically

independent journalism was not embraced and partisan journalism prevailed, thus newspapers came to represent the political parties rather than the electorate at large.

The past 13 years have seen several examples that seem to support this argument. Many newspapers associated themselves, more or less overtly, with the various political parties, while others have closed down. In post-communist Hungary, state and party resources were as a rule granted to various newspapers in a non-transparent way and in harmony with the political preferences of the government of the day.⁴⁸ With this in mind, Ildikó Kaposi argues for the introduction of a systematic and regular press subsidies scheme:

the press market displays high entry costs; although the freedom of expression is a basic human right, few can afford to found a newspaper, as it requires significant financial resources. ... Because of the imperfections of the newspaper market, and in particular the concentration of capital and the lack of resources, there are good reasons for a correction [of the market by the state] (Kaposi, 2000: 12).

Based on these observations, my hypothesis is that *the establishment of press subsidies fosters the consolidation of media freedom, whereas the lack of press subsidies hinders it* (hypothesis 1c). In order to test this hypothesis, I will inquire whether the introduction of press subsidies in selected countries has improved the autonomy of the print press vis-à-vis the political elites and increased the number of titles (and hence the freedom and diversity of the press). Hypothesis 1c is confirmed if empirical evidence shows that the establishment of press subsidies has improved the freedom of newspapers

⁴⁸ For more on this, see chapter 5.2.3.

in the studied countries; it is disproved if evidence discloses that press funds have not achieved this end.

4.2. The behavioral dimension

Those pursuing the *behavioral approach* argue that the persistence of political pressure on the media in the countries of East Central Europe was rooted in the undemocratic political culture of the post-communist political elites—that is, the behavioral requirements for the consolidation of media freedom were lacking. This approach suggests that political re-socialization takes even more time than the transformation of the political and economic institutions. The argument goes that authoritarian concepts of the media endured despite the political transformation, and the behavior of most politicians in the post-communist period was determined by this legacy—all the more so as several members of the late communist party pursued their careers in the post-communist era in a variety of newly formed or reformed political parties. For example, Richard A. Hall and Patrick O’Neil observe that

because of the legacy of the Leninist political culture, post-Communist governments will attempt to subordinate the media to their wishes; they are not accustomed to the tolerance and freewheeling debate characteristic of a democracy (Hall & O’Neil, 1998: 143).

Barbara Trionfi also notes continuity in the political elites' approach to the media:

[m]any of the current leaders of the post-communist countries were a part of the old party states and maintain the same attitudes toward the media, asking journalists to perform ideological and educational tasks (Trionfi, 2001: 95).

A similar explanation has been put forward by Miklós Haraszti who, when analyzing the media policies of post-communist Hungary's two right/conservative governments, argues that

[t]he first media war was launched by Lenin, and the arguments used to justify political control of the media have not changed ever since. ... Communist media warriors demanded a total press for their own use; post-communist ones demand an 'equalized' press. But the point is, they do not want the press to be independent; they want it to serve their own interests (Haraszti, 1999b: 193).

It is to be noted that while Haraszti, who was also media policy advisor to SZDSZ and an influential personality of the two left/liberal governments, attributed a communist behavioral legacy to the right/conservative governments, the media policy makers of the right/conservative parties attributed the same legacy to *their* political opponents. As media policy maker of Fidesz-MPP Annamária Szalai noted when speaking of the left/liberal government of the day,

it is an inherent part of the very existence of the leftist governments that they assume complete control over opinions; this is why they have conquered and censored the public service media (Szalai, 2002: 42).

The behavioral argument is sometimes formulated as the denial of the institutional approach. As Haraszti argues elsewhere,

it is an illusion that laws can take care of everything. Politics is to a great deal determined by intentions, which is particularly true for the case of press freedom. No matter how good the law is, press freedom will not persist if the government wishes the opposite (Haraszti, 1994a: 6).

Based on these observations, the hypothesis can be formulated that *the endurance of authoritarian political culture hinders the consolidation of media freedom, whereas the rise of democratic political culture fosters it* (hypothesis 2). In order to test this hypothesis, I will conduct a comparative analysis of media policy declarations and media policy measures before and after the political transformation. Hypothesis 2 is confirmed if significant uniformities are found between the media policy declarations and media policy measures of the communist and post-communist periods. If, however, there are significant differences between the two eras, the hypothesis must be reconsidered.

4.3. The attitudinal dimension

Those pursuing the *attitudinal approach* argue that the main reason for the persistence of political pressure on the media was the lack of responsiveness to issues of media freedom on the part of the general public, including the journalistic community and non-governmental organizations. In other words, the attitudinal requirements of the consolidation of media freedom were supposed to be lacking.

Just like the behavioral argument, this view too is sometimes formulated as the denial of the institutional approach. For example, John Downing, somewhat tautologically, argues that

[i]t is very doubtful ... that legislation in a positive direction, in the direction of freedom for the entire public to create its own realm of mass communication, could actively generate these realms. Legislation would have to follow the public's demand in order to ratify and secure what already had been achieved. It could not initiate it. It is for these reasons that the focus on media laws has not so much been misplaced, but over-emphasized (Downing, 1996: 124).

Although Downing does not elaborate on his point any further, the argument can be made that the lack of public responsiveness has made intervention into the media a risk-free political venture: since the citizenry would not sanction such undemocratic measures, political elites were ready to infringe upon the media's freedom.

Although the attitudinal argument is rarely found in the media studies literature, those studying transition and democratic consolidation frequently note that the Hungarian political transformation was an elite-driven process and therefore it is unclear whether democratization was supported by the general public. The country's "negotiated revolution" (Bruszt, 1990) did not take the people to the streets apart from one major street demonstration, the reburial of Imre Nagy on June 16, 1989,⁴⁹ and some minor protests such as the demonstration on National Holiday March 15, 1989, or the one

⁴⁹ Imre Nagy, leader of the 1956 revolution, was executed after the demise of the upheaval by his successor János Kádár; where his ashes had been buried remained unknown to the public until the late 1980s.

opposing a dam and power plant in construction on the Danube on May 26, 1989.⁵⁰ There was no revolution or popular upheaval to mark the de-legitimization of the old regime and the legitimization of the new one; it was not evident whether the promoters of the political transformation had the popular support necessary to claim democratic legitimacy (Bozóki, 1990: 23; O’Neil, 1997a: 2). The political transformation was carried out by the old and new political elites participating in the National Roundtable Negotiations, rather than the anonymous masses (Bozóki, 2001).⁵¹ After the first free legislative elections, many have even raised the question whether there had been a political transformation at all (Sükösd, 1992: 76). Their alienation was furthered by some of the old nomenklatura’s preserving their former positions.⁵² The contested privatization process in the early and mid-1990s, and the lack of lustration until the late 1990s did not improve the new regime’s popular recognition either.

Empirical evidence from the early 1990s confirms the point that the political transformation was considered an elite-driven process and did not have massive popular support. In late 1989, Medián Opinion Poll Ltd conducted telephone interviews with 100

⁵⁰ The construction of a dam on the Danube river near the city of Nagymaros had begun by virtue of a treaty between Czechoslovakia and Hungary in the early 1980s. Most experts agreed that, if completed, the dam and power plant would destroy the environment of the Danube basin. The dam became a symbol for the international communist elites’ undemocratic decision making practices, as the Slovak and the Hungarian citizens were not asked to give their consent to the construction.

⁵¹ Erzsébet Szalai also argues that “[t]hree groups of elites have played decisive roles in launching the change in the political regime: (a) the late-Kádárist technocrats; (b) those who looked for and have found a place for themselves outside the institutions of power—the democratic opposition; (c) finally, opposition and the new reformist intellectuals who appeared before the public but remained within the institutions of power” (Szalai, 1999: 15).

⁵² There is plenty of evidence that most of the old nomenklatura, especially the young technocrats, have successfully preserved their power. Hungary’s subsequent democratic governments, left and right alike, featured a number of ministers who used to be members of the communist party and/or cadres of the state apparatus. A book listing Hungary’s 100 richest people, published by the political quality daily *Magyar Hírlap* in October 2002 also reveals that many of the new rich used to belong to (the second rank of) the old state and party bureaucracy.

‘common’ people named Kovács (‘Mr Smith’) and 65 leading intellectuals on how they evaluated the year 1989. Their answers differed considerably. The common people did not like any of the leading political actors of the transformation, while most of the opinion leaders named reform communist Imre Pozsgay as a positive actor. When asked to describe the previous year in one word, the Kovácses used various synonyms for ‘uncertain’ and ‘bad’; 50 percent of them were of the opinion that 1989 was worse than 1988, while of the 65 intellectuals only two thought so. Forty percent of the common people looked into the future with anxiety, while only 15 percent of the leading intellectuals were worried about the future (Tímár & Vásárhelyi, 1990: 27–30).

Another, longitudinal, opinion poll carried out in the early 1990s yielded similar findings. The survey, based on a sample representing Hungary’s adult population, queried (common) people’s opinions on the basic values of the late state socialist and the current democratic regimes. It concluded, among other things, that 50 percent thought economic equality, the major ‘achievement’ of the Kádár regime, was more important for democracy than political liberties, while only 38 percent held the opposite view. Forty-nine percent said that the majority of the economy should remain in the hands of the state. In January 1992, 68 percent of the interviewees were of the opinion that the current situation was worse than the one under the late communist regime, and only 21 percent were of the opposite view (Lázár, 1993: 38–50).

As yet another representative opinion poll displayed in 1992, 70 percent of the general public agreed or strongly agreed with the statement that “the Kádár regime took better care of the problems of the average people [than the current regime]”, 55 percent with the view that “the Kádár regime was more just than the present one.” As many as 59

percent agreed or strongly agreed with the statement that “there are many things that should have been preserved from the socialist times” (Vásárhelyi, 1992: 40).⁵³

A certain nostalgia for the old regime persisted throughout the 1990s. In a representative survey conducted in March 1998, interviewees were asked whether they agreed or disagreed with the statement that “the regime change did more harm than good to the country.” Only 22 percent disagreed completely with this view (among whom those with higher revenues or a higher level of education were overrepresented), while 21 percent strongly agreed, and 21 percent agreed (Gradvohl et al., 1998: 10–16).

In another opinion poll conducted in 1999, interviewees were asked to name the most positive historic figure and era of 20th century Hungary. The chosen figure was János Kádár, and the chosen era was the middle period of his rule, i.e., the 1970s.⁵⁴

Based on these observations, one may wonder whether the same kind of public alienation holds for the case of media freedom. My hypothesis will be that *public commitment to the freedom of the media enhances the consolidation of media freedom, whereas public alienation hinders it* (hypothesis 3). Public commitment to media freedom can be assessed in two ways: firstly, by an analysis of the various forms of public reaction to the political elites’ attempts to challenge media freedom, and secondly, by collecting survey data on how the public perceived the importance of media freedom.

⁵³ Popular discontent with the performance of the economy was, of course, rooted in real-life experiences. In the first years of democracy, economic hardships were on the rise, and the financial situation of most households deteriorated: the GDP in 1993 was only 82 percent of that in 1989, and the GDP in 1996 was only 86 percent of that in 1989. The real value of incomes decreased by 25 to 30 percent between 1989 and 1996 (Romsics, 1999).

⁵⁴ Kádár had invited the Red Army to suppress the 1956 Revolution and executed or imprisoned thousands, including revolutionary Prime Minister Imre Nagy whose rehabilitation and reburial was the most important symbolic event of the political transformation. At the same time, Imre Nagy was only the fourth positive figure on the list (Romsics, 1999).

If public outcry in reaction to political attempts to curtail media freedom is found to be lacking, empirical evidence is consistent with hypothesis 3. If, however, the public held media freedom to be a major democratic value, yet the intensity of political pressure on the media did not diminish, the hypothesis must be dismissed.

5. The transformation of the media in Hungary

The above-described theories aim to explain the persistence of political pressure on the media in post-communist Hungary in terms of the communist institutional, behavioral and attitudinal legacies pertaining to the media. In order to have a better understanding of these legacies and their potential impact in the post-communist era, first some of the basic data regarding Hungary's media history during and after communist rule need to be recalled. Before proceeding with an in-depth comparative analysis of the various dimensions of the consolidation of media freedom, I will briefly describe Hungary's media history between 1948 and 2002. I will focus on the following:

- (1) the institutional legacy: media regulation;
- (2) the behavioral legacy: media policy declarations and measures;
- (3) the attitudinal legacy: public reaction to the subsequent governments' media policies.

5.1. The media policies of the communist governments

While discussing Hungary's communist legacy with regard to the media between 1949 and 1990, I will distinguish three subsequent historical periods, marked with different leaderships at the top of the party and state apparatus:

- the period of orthodox communist media policy, 1949–1956,
- the period of reformed communist media policy, 1957–1987, and
- the collapse of communist media policy, 1988–1990.

5.1.1. Orthodox communist media policy

When Mátyás Rákosi was the chief secretary of the communist party,⁵⁵ media policy in Hungary merely imitated that of the Soviet Union.⁵⁶ In the Soviet system, information was monopolistically controlled by the party state; information policy, and hence media policy, played a key part in maintaining one party-rule (Shanor, 1985: 1–7). The media acted as an extension of the party apparatus. They functioned as a 'transmission belt' that

⁵⁵ The communist party was called Hungarian Communist Party (MKP) between 1944 and 1948, Hungarian Workers Party (MDP) between 1948 and 1956; Hungarian Socialist Workers Party (MSZMP) between 1956 and 1989.

⁵⁶ The term 'media policy' did not exist at that time in Hungarian; the official term was 'information policy' (*tájékoztatáspolitiká*). Around the regime change of 1989–90, this expression was replaced by 'communication policy' and 'media policy'. Even the term 'media' was unknown in Hungarian until the regime change; researchers used the term 'means of mass communication' (*tömegközlelési or tömegkommunikációs eszközök*). While the terms 'media policy' and 'media' imply the concept of mediation and therefore a two-way communication process, 'information policy' and the 'means of mass communication' refer to a hierarchically organized, one-way communication process.

communicated the will of the party to the masses (Fodor & Szecskő, 1973: 29). The media—along with the arts, the school system, and the communist youth associations—were considered a tool of economic, political and cultural mobilization and indoctrination (Szabó, 2000: 66–89; Romsics, 2002: 359–376).

In an attempt to monopolize information, alternative news resources were eliminated by, among other things, the production of wired radio sets that only received domestic broadcasts, as well as the jamming of foreign radio transmissions. Radio and television were centrally organized and subjugated to direct and preliminary political control (Miquel, 1984: 81–91, 300–313). Newspapers, radio stations and television channels were run by the state and party organs; the chief editors of the major news media were party cadres or directly appointed by the party. The various media outlets redistributed the same standardized ideological messages; most of which were created and distributed by the monopolistic state wireless agency, TASS (Remington, 1988: 97–116). As a result, news on domestic affairs and other communist countries was sugar-coated, whereas the capitalist world was mainly described in negative terms (Shanor, 1985: 16).

5.1.1.1. Media regulation, 1948–1956

The media's subordination to the political elites was facilitated by the lack of institutions regulating interactions between the journalistic community and the political leaders.

There was no specific press law or broadcasting act in this period; the media were regulated by paragraph 64 of Hungary's 1949 communist Constitution:

In the Hungarian People's Republic, the freedom of expression, the freedom of the press and the freedom of association are guaranteed in accordance with the interests of socialism and the people (quoted in Fodor & Szecskó, 1973: 30).

This constitutional provision, although formally recognized the freedom of expression, limited it significantly by implying that the media were to enforce the workers' power. More precisely, the media were to be the loudspeaker of the party that deemed itself the only legitimate representative of the people.

5.1.1.2. Media policy declarations and measures, 1948–1956

The Rákosi regime's media policy principles were based on Vladimir Ilich Lenin's oft-quoted guidelines according to which

[t]he role of a newspaper ... is not limited solely to the dissemination of ideas, to political education, and to the enlistment of political allies. A newspaper is not only a collective propagator and a collective agitator, it is also a collective organiser. In this last respect it may be likened to the scaffolding round a building under construction, which marks the contours of the structure and facilitates communication between the builders, enabling them to distribute the work and to view the common results achieved by their organised labour. With the aid of the newspaper, and through it, a permanent organisation will naturally take shape (Lenin [1901] quoted in Sparks, 1998: 45–46).

In the spirit of the ‘agitation and propaganda’ model, Rákosi himself argued that the media were to propagate the nation’s

achievements in the fields of production, construction and the cultural revolution (quoted in Murányi, 1994: 203).

Cultural policy was the responsibility of József Révai, minister of public education who, as of September 1949, declared a “socialist cultural revolution”. The officially cultivated ideal of the arts and the media was that of ‘socialist realism’, which meant stigmatizing the enemies of the regime and representing an idealized world (Kormos, 2001: 119–126; Romsics, 2002: 367).

As the communist party consolidated its power, these media policy principles were quickly put into practice. The independent newspapers and the press of the rest of the political parties were closed down; the number of daily and weekly titles dropped from 400 to 60–70. Some of the existing titles were reformed: for example, *Nemzeti Sport* (National Sport) became *Népsport* (People’s Sport) At the same time, several new titles were released, including *Irodalmi Újság* (Literary Newspaper) which was modelled on the Soviet *Literaturnaya Gazeta*, as well as *Pajtás* (Fellow), *Szabad Ifjúság* (Free Youth) and *Ifjú Gárda* (Young Guard). Most entertainment and lifestyle magazines ceased publication. Many of Budapest’s cafés, which had once served as a meeting point and forum for the literary intelligentsia and journalists, were either closed down because of their ‘bourgeois’ atmosphere or transformed into fast food restaurants. Several literary

works by foreign and domestic authors were blacklisted because their message failed to comply with the official ideology of the era (Romsics, 2002: 365–374).

The print press was nationalized; all outlets came to be published by the party bureaus and the state organizations (Murányi, 1994: 203–209), which, in practical terms, meant heavy ownership concentration by the state and direct political subordination to the party. The nationalization of the media, coupled with the abolition of the market economy and of commercial advertising, led to the financial dependence of newspapers, radio and newsreel on state subsidies. The state, subordinated to the only party's rule, also controlled what news could be covered, as well as the quantity of printing paper that the various titles could use. The print press, radio and newsreels were under the direct control of the party, and senior editors were nominated by the party officials. Political loyalty was more important than professional skills: the journalists were considered, in Stalin's words, "the party's soldiers" and "the architects of the soul".

After communist takeover, pluralism ceased to exist on both the societal level and within the communist party, as the public expression of dissent was sanctioned (Lázár, [1980] 1988: 19). The media agenda was limited, since issues that might have raised doubts among the public about the legitimacy of the regime were taboo. Even entertainment carried ideological messages (Takács, 2003). The various newspapers discussed the same topics in the same language, and were exposed to direct and preliminary political censorship. At the same time, however, the intensity of political intervention varied over the period. Whenever the positions of the reformer wing of the party improved to the detriment of the orthodox wing, for example in 1953, censorship

was slightly relaxed. Yet even at these times, critical coverage of the political elites and their policies was mostly disguised as literature (Murányi, 1994: 207).

Alternative sources of information were eliminated. Those who listened to *Radio Free Europe* (RFE), whose broadcasts were jammed, encountered harassment by the state defense authority. Radio sets were wired to receive one single station, *Budapest I*.⁵⁷ The party made sure that no one escaped the message: employees at most workplaces were required to read and discuss the daily editorial of *Szabad Nép* (The Free People), the party's official newspaper.⁵⁸ When official communiqués were broadcast, those who lived in smaller settlements and owned a radio set were required to put it in the window so that all could get the message. In order to better reach the rural population, cinemas were built in the small settlements: between 1948 and 1956, the number of cinemas increased fourfold (Romsics, 2002: 372). Not only the movies themselves, either produced in Hungary or imported from the other communist countries, carried and ideological message, but so did the newsreels, played before the films, as well (Kormos, 2001).

5.1.1.3. Public reaction, 1948–1956

As the public expression of dissent with the party's policies was sanctioned and no opinion polls were conducted, little evidence is available on how the general public,

⁵⁷ This station, which was the major national program, is today called *Radio Kossuth*.

including the journalistic community (there being no independent NGOs at the time), responded to the Rákosi regime's media policy.

Public dissent, however, was clearly expressed by the revolution on October 23, 1956, which declared the freedom of the media, and put an end, if only for about ten days, to political intervention into the media. In particular, one of the key events of the revolution was the liberation of *Hungarian Radio* (MR) and the print press. During this short period, several independent newspapers were launched, including such telling titles as *Igazság* (The Truth), *Függetlenség* (Independence), *Valóság* (Reality), *Szabad Szó* (The Free Word) and *Új Magyarország* (New Hungary) (Sükösd, 2000: 129–130).

5.1.2. Reformed communist media policy

After the revolution was suppressed, under the rule of János Kádár, the country's new leader, several journalists encountered repression, especially those who had taken an active part in the revolt. Some journalists were arrested, others silenced. The autonomy of the Hungarian Journalists Association was suspended and, as of January 1, 1957, the employment contracts of all journalists were cancelled. In the next few weeks, only journalists loyal to the new leadership were offered jobs (Murányi, 1994: 209–211).

Yet the country's new leaders drew the lesson from the 1956 revolution that a mere imitation of the Soviet political model might lead to another popular upheaval.

⁵⁸ After the 1956 revolution, the newspaper switched its name to *Népszabadság* (People's Freedom). Today, it has the biggest circulation of any nationwide quality daily in Hungary and still maintains close links with the communist party's successor, the Hungarian Socialist Party.

After an initial period marked with the repression of media freedom, orthodox communist media policy was reformed, and the intensity of political intervention into the media was slightly relaxed.

5.1.2.1. Media regulation, 1957–1987

The print press and the broadcast media remained unregulated for most of the Kádár era, and were directed either by governmental decrees or informal instructions. Another form of regulation was the ‘press plan’: every now and then the Agitation and Propaganda Department of the party’s Central Committee issued guidelines to editors on how to cover forthcoming events such as the party’s next congress (Gálik et al., [1988] 1998: 76–83).

Yet toward the end of the period, a Press Act was passed. The law of 1986 was conceived in the spirit of old communist media policy principles. Most importantly, it continued to reserve to the state organizations the right to found new periodicals, while private individuals or companies were not allowed to do so. At the same time, however, it also set some written rules limiting the scope of informal political intervention into the media (Halmai, 1998: 349–350).

5.1.2.2. Media policy declarations and measures, 1957–1987

In the early days of Kádár's rule, media policy declarations did not change relative to those of the previous era. As a report by the Agitation and Propaganda Department to the party's Central Committee put it in 1958,

the press and radio have great tasks to do: they are to educate the people and convince them of the pertinence of the party's policies; they are to shape and reform public opinion, organize and mobilize the masses; maintain and develop the party's relationship to the masses (quoted in Kenedi, 1999).

Journalists were explicitly expected to pursue the agitation and propaganda model. As a 1959 party declaration put it,

[t]he communist leaders and the employees of the daily and weekly press must make sure that the newspapers reflect upon life, and the press meets its role as a collective propagandist, agitator and organizer (quoted in Fritz, 1988: 21).

Media policy declarations were conceived in the same spirit throughout most of the period. For example, another policy declaration from 1975 proclaimed that

Marxist–Leninist propaganda must be more active in order to make sure that our ideas reach people's minds and become dominant in all areas. ... For this aim to be achieved, we will use radio, television and newspapers (quoted in Fritz, 1988: 35).

Whereas the media policy declarations of the early Kádár era displayed no change relative to the orthodox communist media policy declarations (which does not mean that media policy remained the same in practice), from the 1980s onwards some change could be detected in the content of such declarations. For example, as a high-rank party cadre suggested in 1984,

the means of mass communication must play a more active part in preparing decisions and *presenting alternatives*. The political leaders must find ways to involve, through the means of mass communication, more people in the preparation, making and execution of decisions (Ernő Lakatos quoted in Fritz, 1988: 43; emphasis added).

A booklet for journalists called “Tájékoztatói ismeretek” (How to inform?) published in 1985 argued in a similar spirit that

[although] the press must express the public atmosphere and local opinions, and inform about them those in charge of direction on various levels, it is more important that it shape and orient public opinion. ... We expect ... journalists to be partisan and engaged: partisanship is a conscious decision on the part of those who want to become journalists in Hungary. It means that they subscribe to the Party’s policies, and serve it with their pen, head and knowledge. ... It is a key feature of our information policy—and of our policies at large—to *write openly about difficulties*. Of course, neither in a sensational way that creates panic, nor in a pessimistic manner, but analytically, disclosing the reasons responsible for the difficulty, and outlining the opportunities to resolve them (quoted in Hegedűs, [1988] 2001: 46–49; emphasis added).

Accordingly, media policy makers in the last part of the Kádár era allowed, at least on the rhetorical level, for some limited journalistic criticism. The media’s function as a

mediator between diverging interests was also acknowledged as legitimate in these media policy declarations toward the end of the period. The change in the tone of media policy declarations also implicitly acknowledged the fact that the ‘agitation and propaganda’ model had failed to change people’s minds to the expected extent.

This gradual, but only partial, relaxation of political control over the media was also reflected in the era’s media policy measures. In the early days of the Kádár regime, by virtue of a government decree issued in 1959, new titles had to be licensed by the Information Office.⁵⁹ All titles were published by the party and state organizations, while private ventures were denied the right to launch newspapers. Yet from the late 1960s onward, the print press increasingly displayed some formal plurality. In 1968, the nationwide daily *Magyar Hírlap* (Hungarian Post) was established as the organ of the government (as opposed to *Népszabadság*, the party paper). Between 1974 and 1984, the number of periodicals more than doubled from 736 to 1650 (Jakab, 1988: 31). However, news coverage in the new titles differed little from that in the rest of the press. Formal plurality was meant to create an illusion of free choice and of the plurality of views.

In addition to the direct political control of the media by government decrees, press plans and informal instructions, the distribution of media resources—namely information, printing paper and subsidies—came to constitute a more important, and more sophisticated, tool of media policy in this period. The Hungarian Wireless Agency (MTI) had a monopoly over the dissemination of information; the agency did not forward those pieces of news to the media that were politically unwelcome (Hegedűs, [1988] 2001: 50). Similarly to Rákosi’s media policy, most of the alternative sources of

information—such as RFE or the domestic samizdat press⁶⁰—were eliminated.⁶¹ The Information Office put a limit on the circulation of newspapers, arguing that there was a shortage of paper. Last but not least, the state granted subsidies to prioritized titles through publishing houses, keeping their price artificially low and their circulation artificially high, in order to encourage the public to buy them.⁶²

However, toward the end of the Kádár era, market principles were gradually, albeit never wholly, introduced into the media. From 1979 onward, the publishing houses released profit-oriented periodicals (Jakab, 1988: 31). *Hungarian Television* (MTV) began to air commercial advertisements, whose quantity grew steadily in the last years of the regime (Terestyéni, 1999: 43).⁶³ The publishing houses' and broadcasters' ability to cross-finance their titles and to base a part of their budget on commercial revenues lessened their dependence on state subsidies and slightly improved their freedom vis-à-vis the political elite.

By about the mid-1970s, the nomination of top media personnel came to be the major tool of media policy. This policy was called the 'responsibility of the editor-in-chief': the top person in the newsroom, a loyalist of the party, communicated the will of

⁵⁹ 26/1959. V.1. government decree.

⁶⁰ The term 'samizdat', Russia for 'self-publishing', refers to publications issued without a license (Stevenson, 1994: 267).

⁶¹ *Austrian Television* in the Western territories of Hungary formed an exception.

⁶² For example, *Népszabadság*, the newspaper of MSZMP had a circulation of about 695,000 copies daily (Gulyás, 2000: 1126). i.e., calculating four readers for one copy, it reached about every third adult in the country.

⁶³ Commercial advertising questioned the primacy of the socialist planned economy over the capitalist market economy. As a declaration put it, back in 1959, "[c]ommercial advertisements are a sign of over-production in the capitalist societies, and a tool of the endless and harmful competition, for which there is no room in the more developed and planned communist countries" (quoted in *HVG*, November 25, 2000.). The Kádár regime's decision to allow for commercial advertising was clearly a deviation from this principle, yet it offered an impression of choice to the people.

the political leaders to the journalists (Hegedűs, [1988] 2001: 52). The editors-in-chief of the nationwide titles went on report on a monthly basis to the *party* bureau where their superiors evaluated their work and advised them on how to continue. Every second week, they had to visit the Information Office as well, where the *state* leaders commented on their performance (Murányi, 1994: 218–219). Institutionalizing the ‘responsibility of the chief editor’, however, was a sign that some journalists had internalized the norms of the regime by this time.

The means of censorship applied throughout the Kádár era were increasingly refined. The raw suppression of critical minds was increasingly coupled with, and replaced by, privileges granted to the loyalists of the regime. Such privileges included, among other things, safe employment and health care services that were better than those available for the average citizen. The journalists who abided by the rules were increasingly co-opted and became part of the regime.⁶⁴

At the same time, the traditional forms of censorship persisted as well. Some issues, such as the 1956 ‘counter revolution’, the execution of revolutionary Prime Minister Imre Nagy, drug addiction among youth, the status of the Hungarian minorities in the neighboring countries, the Danube dam, and intra-party conflicts, were deemed taboo and remained so until almost the end of the Kádár era. So were certain expressions such as ‘poverty’ or ‘export support’, as their very existence questioned the superiority of

⁶⁴ As Miklós Haraszti noted in his discussion of censorship in the media and in the arts in general toward the end of the period, “[c]ensorship is no longer a matter of simple state intervention. A new aesthetic culture has emerged in which censors and artists alike are entangled in a mutual embrace. ... The state is able to domesticate the artist because the artist has already made the state his home ... Traditional censorship presupposes the inherent opposition of creators and censors; the new censorship strives to eliminate this antagonism. ... The existence of censorship is based on a lasting identity of interests between censor and censored” (Haraszti, 1988: 5–8).

the socialist planned economy over the capitalist market economy. Some people—including, somewhat paradoxically, the top party cadres—could not be interviewed. Yet some issues, such as the poor economic performance of some state-owned companies, could be criticized toward the end of the period (Farkas, 1990: 15; Sükösd, 2000: 131–136). The speeches made by János Kádár had to be reprinted word for word. Criticism was mainly expressed in an ambiguous way, and techniques of writing—and reading—between the lines were developed.⁶⁵

On the whole, the print press in the first decades of the Kádár era was not as one-directional as in the Rákosi era: it allowed for some feedback, however limited. Such feedback was also institutionalized in the form of ‘democratic press debates’, which numbered as many as 150 throughout the period. These tackled the current social problems such as the organization of cooperatives (Murányi, 1994: 216). They created a ‘socialist public sphere’ and demonstrated the ‘democratic’ nature of decision-making. Although their subjects were determined from above, they created an opportunity to put forward alternative thoughts and prudent criticisms. Their aim was to relax political tension and to offer an impression of participation to those intellectuals who were not members of the party.

While, similarly to the Rákosi-regime, alternative sources of information were largely controlled, media policy makers in the Kádár era did not seek to impose media content: the daily editorial of the party newspaper was no longer discussed at the workplace. At the same time, however, some social groups who played an important role

⁶⁵ Ildikó Kaposi and Éva Vajda describe a telling example of these techniques. When the price of bread was raised, *Hungarian Television* was not allowed to cover the public’s reaction. The editors, however,

in the citizens' political socialization, such as teachers for example, were required to subscribe to at least one nationwide or regional daily newspaper.

The Kádár regime, learning from the mistakes of its predecessor, allowed people to avoid politics. There was an increase in non-ideological press and media content that offered people a chance to escape from reality, in the spirit of Kádár's emblematic slogan "he who is not against us is with us." The key channels of such content were *Hungarian Television*⁶⁶ and the Budapest-based 'socialist tabloid' *Esti Hírlap* (The Evening Post). Toward the end of the period, *Hungarian Television* purchased more and more feature films—in 1986 for example, it broadcast 864 films of which 601 were produced in the West and, obviously, did not reflect the Kádár-regime's ideology (Sparks & Reading, 1988).⁶⁷ There emerged some new media outlets too that were deprived of ideological messages. Publishing houses issued a number of new titles, including apolitical entertainment publications. The first commercial radio station, *Radio Danubius*—organizationally a part of *Hungarian Radio*—was launched in 1986. Apolitical entertainment was furthered by the fact that the state did not obstruct the private import of VCRs and video films.

In contrast with the media policy of the Rákosi era, which made a sharp distinction between wanted and unwanted information, Kádár's media policy makers

expressed their concerns by way of covering a story on hunger riots in Tanzania that they aired right after the report on the price of bread in Hungary (Kaposi & Vajda, 2002: 93).

⁶⁶ *MTV* began broadcasting in March 1957.

⁶⁷ The Western programs aired on *Hungarian Television*, and including, among other things, "Kojak", "Colombo", "Charlie's Angels", "Once Upon a Time in the West", showed a world with a higher standard of living and a greater deal of individual freedom. Allowing Hungarians to compare what they had with what Western citizens had undermined the myth of Hungary as a relatively wealthy socialist country. The worldview of these films also ran counter to the Kádár-regime's official ideology. Crime stories introduced the concept of the rule of law since, much to the surprise of Hungarian viewers, they presented that even

divided the public sphere in at least three sections. In addition to the existing sections of ‘supported’ (*támogatott*) and ‘banned’ (*tiltott*) information, they introduced a ‘tolerated’ (*tűrt*) one as well. Supported were those works that were of an engaged, socialist realist tone, banned those that were carrying an anti-Marxist message, and tolerated those that were not Marxist but did not deny the superiority of Marxist ideology. The policy of the ‘three Ts’ was associated with the name of key cultural and media policy maker György Aczél (Hegedűs, [1988] 2001: 57–59; Romsics, 2002: 497). Whereas the subsidized newspapers that ran a high circulation followed the official party discourse, weeklies with a lesser circulation could afford a somewhat more critical approach. Similarly, the prime time evening news on television and radio was politically more orthodox than the late night programs.

The supply of intellectual-critical periodicals also improved. In 1979, *Heti Világgazdaság* (The Weekly Economist), in 1981 *Medvetánc* (Bear Dance) offered new perspectives to the readers. Some of the existing periodicals, such as *Világosság* (Light) and *Valóság* (Reality), which earlier had been fully subordinated to ideological considerations, gradually gave floor to more objective studies of the social sciences.

Toward the end of the period, the samizdat press was decriminalized: from 1983 onward, self-publication ceased to be considered a violation of the penal code, although it still violated the civil code. Even though samizdat publishers and contributors could still expect some harassment by the authorities, those who were not allowed to publish in the official press because of their samizdat activity were gradually allowed to do so: i.e., they moved from the ‘banned’ section of the public sphere to the ‘tolerated’ and ‘supported’

criminals had rights. The individualism of the lonely cowboy of the western movies also failed to fit the

sections. Listening to foreign radio stations was no longer sanctioned either: according to a representative opinion survey conducted in 1981, 19 percent of the Hungarian public openly admitted to listening to *Radio Free Europe* regularly. The audience share of RFE slightly grew throughout the 1980s, reaching 23 percent in 1987. In the same year, eight percent listened to the *Voice of America* (VOA) (Hann, 1989: 48–49).

5.1.2.3. Public reaction, 1957–1987

There are no empirical surveys on how the public responded to the party's media policy. Some other indicators, however, suggest that political pressure on the media was not unchallenged. One such indicator was the rise of the samizdat press. The first self-published newspapers and books were released in 1972 and, as sanctions on their authors and publishers were gradually relaxed, their numbers increased significantly in the 1980s. Some titles that deserve mention include *Hírmondó* (Messenger), *Demokrata* (Democrat), *Magyar Október Szabadsajtó* (Hungarian October Free Press), *Túlélés* (Survival), *Hiány* (Shortage), *Kelet-európai Figyelő* (Eastern European Observer), *Szféra* (Sphere), *Túlpartról* (From the Other Side), and *Magyar Figyelő* (Hungarian Observer). *Beszélő* (Speaker), the most widely read samizdat periodical, had a circulation of 2,000–3,000 copies and published 27 issues between 1981 and 1989. Some 150 samizdat books were also published throughout the period (Murányi, 1994: 224; Csizmadia, 1995: 201–209; Haraszti, 2000a: 55–58). Samizdat activity, however, remained marginal throughout the period, since the samizdat press was read only by a small circle of intellectuals.

regime's collectivist ideology (see also Lázár, 1984: 63–66).

The journalistic community of the official press was divided. The introduction of the ‘responsibility of the chief editor’, i.e., the decentralization of political control over the media, was a clear sign that by the mid-1970s most journalists had internalized the norms of the regime and had a clear idea what was expected of them. They were collaborators who did not challenge the party’s media policy, at least not publicly. At the same time, however, prominent journalists in the last part of the period challenged censorship by addressing taboo issues. Of particular interest is the taboo on the 1956 Revolution, the reburial of Imre Nagy and other revolutionary martyrs. These issues were widely discussed in the samizdat press and, in 1986, on the 30th anniversary of the revolution, they made it into the official press for the first time. The issue was first raised publicly in Miklós Györffy’s late night radio talk show “Owl”, before being covered in prime time programs. This was particularly important since the rehabilitation of Nagy, commonly framed as the political opponent of János Kádár during of the 1956 revolution, eventually lead to the complete de-legitimization of the Kádár regime (Bruszt, 1990: 166).

5.1.3. The abolition of the institutions of political control

By the end of the Kádár era, as a result of, among other things, *glasnost* and *perestroika* in the Soviet Union, the poor performance of the economy and Hungary’s growing deficit and foreign debts, as well as the aging of János Kádár himself and the resulting intra-party struggles for power, the party had lost control of society, including the media. Under new

Party Secretary Károly Grósz and Prime Minister Miklós Németh,⁶⁸ public expression of dissent with the party's policies was increasingly tolerated.

Profiting from the weakness of the regime, some alternative concepts of media policy emerged from the ranks of the non-communist intellectuals, and in early 1988, a “Proposal for the reform of the press”, was published in the official press.⁶⁹ The first half of this “Proposal” was a critical analysis of communist media policy, while its second half put forward several media policy recommendations that aimed to create the institutions safeguarding media freedom. Its authors, including the future founders of the Openness Club,⁷⁰ suggested that

[t]he press, the public sphere must allow for the society's control over power holders; they must mediate group interests, present the movements, organizations, civic initiatives that accept constitutional principles; and they must publicize debates and opinions that promote the social and economic development. This includes the overt, yet responsible criticism of all members of the party and the state administration as well as the transparency of the operation of the party and the state organizations (Gálik et al., [1987] 1998: 87).

⁶⁸ Károly Grósz replaced János Kádár at the party congress of May 23, 1988. Miklós Németh was elected Prime Minister by the parliament on November 24, 1988. The Hungarian Socialist Workers Party was transformed into the Hungarian Socialist Party on October 7, 1989.

⁶⁹ The first version of the “Proposal” was published in the Hungarian émigré newspaper *Irodalmi Újság* in Paris, France in early 1987. The Hungarian audience came to read the text a year later when it was released in two intellectual reviews, first in *Medvetánc*, then in *Kritika* (Critique). The three subsequent versions of the text were increasingly radical in both their terminology and demands (Szekfü, 1998: 49–50).

⁷⁰ The Openness Club (Nyilvánosság Klub) was a non-governmental media freedom watch organization established by leading intellectuals in January 1988. It published a number of qualitative and quantitative analyses on the status of the media from the late 1980s onward, as well as policy declarations and protests against the media policies of the subsequent governments. For more on the early history of the Openness Club, see the documents published in *Mozgó Világ* (1988/7).

The “Proposal” urged a radical reform of media policy. Its authors demanded the end of political intervention in the media, and formulated a Western democratic model of free expression, setting watchdog journalism and a mediating role between diverging interests as goals for the media to achieve.

The journalistic community was also calling for the freedom of the media. On January 14, 1988, the Hungarian Journalists Association organized a public discussion whose participants criticized the Party’s media policy; the event marked the journalistic community’s readiness to support media reform (cf. Mélykuti, 1988: 38–50).

5.1.3.1. Media regulation, 1988–1990

Growing public pressure and emerging alternative media policy concepts pushed the last communist government to break with its former media policy. Most significantly, in October 1989, the Hungarian Constitution was modified, declaring the right to freedom of expression:

61. § (1) In the Republic of Hungary everyone has the right to the free declaration of his views and opinions, the right of access to information of public interest, and also the freedom to disseminate such information.

(2) The Republic of Hungary recognizes and protects the freedom of the Press.⁷¹

⁷¹ 1949. XX. Law (Constitution) modified by Law 1989. XXXI.

In January 1990, the still communist parliament passed the Association Act which recognized the existence of the diversity of interest groups in society, as well as their right to represent their interests. At the same time, parliament modified the Press Act of 1986.⁷² The modified law did not explicitly forbid censorship (as, for example, the German Basic Law or the Swedish Freedom of the Press Act do), but it formally declared the freedom of the media, and enacted the freedom to register new titles.

5.1.3.2. Media policy declarations and measures, 1988–1990

Significant changes in the communist party's rhetoric preceded the major constitutional change described above. In July 1988, the party's Political Committee put forward a series of recommendations for the reform of the public sphere (Farkas, 1990: 19).⁷³ As an influential party cadre noted during the discussion of the document in the summer of 1988,

the party, which is in charge of the direction of public affairs, has a basic interest in the *critical analysis* of the various processes, as the press is becoming one of its major sources of information ... The *publicness of the various views* representing different interests is a precondition for the formation of real alternatives for decisions and actions ... There is no responsibility, there is no solidarity without a developed public sphere (Jenő Andics, 1988: 51–53; emphasis added).

⁷² The 1986 II. Act on the Press, as modified by Law 1990. XI.

The party's new media policy program was finally passed by the Central Committee on March 29, 1989. By this time, however, the party was lagging behind events. In the summer of 1989, the formal end to the communist party's monopoly over the dissemination of information and the future impartiality of the public service media were key issues for discussion at the Openness Section of the National Roundtable Negotiations (Sükösd & Cseh, 2001: 78–79). These trilateral negotiations, organized between June and September 1989, were held with the participation of the emerging oppositional parties, the communist party, and labor unions and non-governmental organizations. They aimed to work out a peaceful and consensual scenario for the political transformation. The reform of the public sphere was on the agenda of Sub-Committee number 5 (Bozóki, 1990: 26–35). The party lost its exclusive influence over media policy.

On August 24, 1989, the Press Sub-Committee of the National Roundtable Negotiations issued the “Principles of Impartial Information”. This document, which displayed all of the participating political forces' willingness not to exert one-sided pressure on the media, stated that

[t]he Hungarian Wireless Agency, Hungarian Radio and Hungarian Television, as public service institutions, will (1) provide information on political events, social, political and economic processes in an impartial manner, (2) treat the representatives and declarations of the different political forces as equal, (3) provide all parties and organizations an equal right of reply, (4) forbid the employees of these institutions from letting

⁷³ *Útmutató a politikai nyilvánosságról, a tájékoztatás megújulásáról és ebben a párt szerepéről szóló belső vitákhoz* [A guideline to the debates on political openness, the reform of information policy and the role of the Party]. Paradoxically, the document aiming to reform the public sphere was confidential.

their party engagements manifest themselves... (quoted in Haraszti, 1999a: 66).

The newly emerging political parties' electoral platforms, issued in late 1989 also recognized the freedom of the media. For example, the Bajcsy-Zsilinszky Society declared that

[t]he freedom of public information and the press must be limited only to the extent it is absolutely necessary in a democratic state.

The program of the Hungarian Liberal Party also declared that

[o]ur objectives in domestic politics include ... establishing the freedom of information.

The Hungarian People's Party also acknowledged this principle:

As part of the overall political reform, the public mind and the public sphere must be liberated from all kinds of censorship.⁷⁴

Even the Hungarian Socialist Party, i.e., the reformed communist party acknowledged the freedom of expression, and hence the independence of the media and their role in watching office holders:

⁷⁴ All quotations taken from Kurtán et al. (1990: 493, 551, 555, 578).

Our program aims [to create] a public, transparent and controllable political system, including access to the public for all views that comply with the Constitution.

Most of the media policy declarations issued in 1989 and in early 1990 recognized the freedom of the media vis-à-vis the political elites. At the same time, however, there were some dissenting voices. For example, in response to the “Principles of Impartial Information”, János Barabás, secretary of the communist party’s Central Committee, argued that national television must be under the control of the government as the government is the legitimate representative of society:

The nation’s television is under the control of the government. ... The government is the nation’s government, and if it fails to express the nation’s interests, it will be dismissed at the elections. As long as it is not dismissed, however, the nation’s television cannot run against the government’s interests and policies (quoted in Haraszti, 1999a: 67).

The same ‘majority argument’ has been put forward by Dénes Csengey, a key politician of the early MDF. He said on March 6, 1990, shortly before the first round of the first free legislative elections, that

Hungarian popular sovereignty is in the hands of parliament. ... The composition of parliament will reflect the mandates that the parties achieved at the elections. ... This parliament will be entitled to regulate and direct radio and television. The bigger parties will have a decisive impact on how parliament works. The same logic holds for the media... (quoted in Farkas, 1990: 32).

Similarly, István Csurka, vice-president of the early MDF, argued in May 1990 that the media should be controlled by the government elected through the general elections whose results reflect the will of the citizenry:

Given the fact that the elections decide on who will have power and what the future of the country will be like, it is logical that the winning forces—whether they are a coalition or a single party—must have a decisive impact on the nationwide media. As the biggest medium [i.e., television] is the most important power factor, it is fair that the leaders elected through free elections, i.e., the winners, own it (quoted in Farkas, 1990: 28).

These media policy declarations revealed that some of the political elites continued to challenge the freedom of the media vis-à-vis the political elites. However, until about October 1990, such media policy declarations were marginal: they did not make it into official party communiqués or platforms, and represented the views of the persons advocating them rather than the official position of the parties their adherents belonged to.

Changes in the media policy declarations of the communist party and the emergence of alternative media policy programs were soon followed by significant changes in media policy. On June 15, 1989, the last communist government abolished by a decree the licensing procedure that had been imposed on new titles for over four decades, introducing an automatic registration process. In practical terms, this meant the liberation of the print press and an end to party and state monopoly over publication. As a result, a variety of privately owned titles that had been unknown since the communist

takeover in 1948 were released; their supply ranged from the tabloid newspapers through cartoons, lifestyle and pornographic magazines to the party press. The newspaper market mushroomed: between 1989 and 1993, over 1,000 new titles were registered annually (Seregélyesi, 1998: 194).

Furthermore, in late 1989 and early 1990, most of the party- or state-owned political newspapers were privatized. This process was also called ‘spontaneous privatization’ or ‘self-privatization’, since the editorial boards managed to preserve most of their editorial autonomy vis-à-vis the new foreign owners (Farkas, 1991a: 209; Juhász, 1994: 255–257; Gálik, 2000: 379). On August 19, 1989, *Nap-TV*, the first private television studio began broadcasting various programs on the frequencies of *Hungarian Television* (Vándor, 1999: 28; Horvát, 2000: 14).

By this time, the communist party lost control of the information that the media could publicize, as well as of the printing paper whose price was liberalized. On July 30, 1989, the last communist government put a temporary ban, the so-called ‘frequency moratorium’, on the distribution of radio and television frequencies, thus giving up its power to license new broadcasters. The frequency moratorium aimed to prevent the emerging political parties from obtaining radio and television frequencies and thus some competitive advantage in the ‘market place of ideas’. It was to be valid until a democratic broadcasting act could be passed (Farkas, 1991b: 15).

The two key organs in charge of the media policy of the party state, the Information Office and the Agitation and Propaganda Department, were closed down in March and August 1988, respectively (Gálik, 2000: 376). On November 20, 1989, the communist party and government gave up its power to nominate the senior managers and

editors of *Hungarian Television* and *Hungarian Radio* (Horvát, 1990: 67–69). On January 4, 1990, the Ministers’ Committee appointed a president and supervisory body to manage the transformation of *MTV* and *MR*. The body declared its readiness to preserve the independence and impartiality of the public service media; in order to do so, it decided that neither of the two institutions would broadcast paid political advertisements until the relevant regulations were passed.⁷⁵

As the party gave up control over the nomination of senior editors and private media outlets mushroomed, political interference with editorial content vanished. Journalists had a great deal of freedom in selecting and commenting on the news. They overtly discussed former taboo issues such as the 1956 Revolution, the construction of the Danube dam and power plant, poverty, or the repression of the Hungarian native population in neighboring Transylvania. They also gave an account of the emerging political movements, and presented their leaders to the public (Farkas, 1990: 24; Horvát, 1997: 63–64; Sükösd, 1997/98: 13–17; Kéri, 1999: 72–76).

5.1.3.3. Public reaction, 1988–1990

Again, there is no survey data on how the public responded to the changes in the party’s media policy. However, there are other signs indicating that an increasing number of people were calling for the freedom of the media. In particular, the publication of the “Proposal on the Reform of the Public Sphere” and the creation of the Openness Club

⁷⁵ The supervisory committee resigned on April 8, 1990.

signaled that media freedom was gaining legitimacy. The “Proposal” was written by four people only, but was signed by dozens of intellectuals, including media researchers, sociologists and journalists.

Furthermore, the above-mentioned landmark session of the journalistic community, as well as the growing coverage of taboo issues in the official media, suggested that the journalists’ understanding of their own role was changing. They profited from their increasing editorial freedom; their willingness to criticize the party, shown by the investigative reports on the Danubegate scandal⁷⁶ among other things showed that they were adopting the role of the ‘fourth estate’ or the ‘public watchdog’.

The general public also seemed to support the establishment of media freedom. On March 15, 1989, outside the main building of *Hungarian Television* on Szabadság tér (Freedom Square) in Budapest, tens of thousands demonstrated for a “free television”. Dénes Csengey, future MP, symbolically occupied, “on behalf of the people”, the public broadcaster.

5.1.4. Summary, 1948–1990

The transformation of the Hungarian media had begun well before 1990; the institutions of political control over the media were deconstructed gradually. Prior to the first democratic elections, at least three different periods can be distinguished, ranging from

⁷⁶ On January 5, 1990 the press revealed that the Ministry of Interior had secretly and illegally collected data on the emerging democratic opposition (Varga, 2002). The scandal significantly undermined the legitimacy of the last communist government.

complete political control of the media, through a cautious liberalization of political control, to the elimination of such control.

Communist media policy, although it changed gradually during the four decades of the party-state, was characterized by the complete lack of institutions safeguarding the freedom of the media vis-a-vis the political elites, facilitating the political control of the media through government decrees, press plans, informal meetings and telephone calls. The behavior patterns of the communist political elites displayed, on both the rhetorical and the policy levels, interference with media freedom in an effort to censor unwanted information and publicize information that enhanced the legitimacy of the party and the regime. On the level of public attitudes, however, the limited data available, including the experience of the 1956 revolution, samizdat publication, and the massive street demonstrations on the eve of the political transformation, suggest that at least part of general public did not approve of communist media policy and pushed for media freedom. However, some of the journalistic community seemed to abide by the prescribed role of the journalist as the party's loyalist, and were ready to serve the party with their pens. They did not do journalistic work in the democratic sense of the term: their primary function was not that of the neutral informant or of the public watchdog, nor did they mediate between different interests. They communicated pre-selected information from the party to the public and commented on this information in accordance with set guidelines, explicit or implicit.

During the early communist period, especially, political intervention was the rule, and the freedom of the media the rare exception. The diversity of views was unavailable in newspapers, radio and newsreels, and the public had limited access to the media.

However, as time went by, the media's freedom increased slightly, and the diversity of views and public access to the media improved to some extent, although they both remained very limited. As long as journalists did not discuss taboo issues, they had a certain deal of freedom in news selection and commentary. Finally, toward the end of communist rule, censorship was formally and permanently abolished, and some institutions of a free media landscape were set up. Media transition, i.e., the establishment of the formal and minimal criteria for media freedom, had taken place. Political elites did not interfere with media content; behavior patterns incompatible with the freedom of expression occurred only exceptionally, and the public and the journalistic community seemed equally supportive of the freedom of the media. The consolidation of media freedom had begun.

5.2. The media policies of the post-communist governments

In early 1990, the new political elites seemed ready to establish what was left from the institutions necessary to guarantee the freedom of the media. This was demonstrated, most importantly, by a pact made between the then biggest political parties, the Hungarian Democratic Forum and the Liberal Democrats Alliance, signed on April 29, 1990, shortly after the second round of the first democratic legislative elections.⁷⁷ The pact reinforced the frequency moratorium, and the two halves agreed that the future broadcasting act would require a qualified, two-thirds, majority. They also declared that

⁷⁷ The two rounds of the first democratic legislative elections were held on March 25 and April 8, 1990.

[n]either national television, nor national radio, nor the Hungarian Wireless Agency shall fall prey to the struggle between the political parties. For this to be achieved, the preferably joint president of television and radio, as well as the two vice-presidents will be appointed by the President of the Republic upon the nomination of the Prime Minister.⁷⁸

The aim to be achieved was consensus: the Prime Minister was to be nominated by the election winner MDF, while Árpád Göncz, the President of the Republic was a former member of the opposition's biggest party SZDSZ. The pact also included plans to set up a 'committee of impartial information' whose members were to be delegated by the political parties, the journalists of the public service media and the members of other professional organizations.

By virtue of the pact and the subsequent joint agreement between Prime Minister József Antall and President of the Republic Árpád Göncz, sociologist Elemér Hankiss was appointed Director General of *Hungarian Television* as of August 1, 1990, and political scientist Csaba Gombár that of *Hungarian Radio* as of July 1, same year. In a joint interview, both directors declared their intention to preserve the independence of the public service media and resist all kinds of political pressure.⁷⁹

However, a few months after Hungary's first freely elected government took office, a conflict occurred on October 12, 1990, in *Hungarian Television*, signaling that the political consensus over the freedom of the media vis-à-vis political elites as the main

⁷⁸ The full text of the pact was published in *Beszélő*, May 5, 1990.

⁷⁹ *168 Óra*, August 7, 1990.

rule was over, and the media were to encounter a new kind of political interference.

Hankiss looks back on the conflict like this:

Before the municipal elections [of October 1990], he [József Antall] asked me to let him make a television speech to the nation. The Prime Minister naturally has the right, I replied, to make a speech but, as he is also the Chair of his party, and we are encountering municipal elections, his speech needs a political counterbalance. This can be done, for example, by having Árpád Göncz make a television speech too. The secretary of Árpád Göncz informed me that the President was ready to make a speech. In the very last moment they renounced the speech. I had to give a call to Antall who was staying in Brussels and tell him I couldn't broadcast his pre-recorded speech. He was very sober and said he could understand me as the director general of MTV but, speaking as a politician, he must reject my procedure as I had made his speech dependent on Göncz's renouncing his. Many date the media war back to this event (Hankiss, 2000: 99).

This conflict marked the beginning of a series of political attempts to remove both Hankiss and Gombár as well as to exert political pressure on both the print press and the broadcast media. The next few chapters will give a detailed account of political intervention into the media in 1990–2002.

5.2.1. Media regulation, 1990–2002

The Press Act of 1986, modified in January 1990, has remained unchanged in post-communist Hungary. Like the Constitution, it declared the freedom of expression, public access to data of public interest and the protection of information sources. In contrast to the print press, the broadcast media remained unregulated until the mid-1990s. The

broadcasting act required a qualified majority in parliament, but no consensus was reached in the first parliamentary cycle, and the unregulated Hungarian broadcast media remained pervaded by loopholes.

The 1996 Radio and Television Act, commonly referred to as the Media Law, was passed with a 90 percent majority on December 21, 1995, after a failed attempt in late 1992 and a government change in mid-1994.⁸⁰ President Árpád Göncz signed it on January 12, and it came into effect as of January 15, 1996. Hungary's three public broadcasters, *Hungarian Radio*, *Hungarian Television* and *Danube Television* (DTV) were run by public foundations that were single-member trading corporations represented by the boards of trustees. The Radio and Television Act mixed the parliamentary and the corporative systems in the nomination of the boards of trustees of the public service media. Thus these bodies gathered nominees from both the parliamentary parties and a selection of non-governmental organizations and journalistic organizations.

The law also set up a National Radio and Television Board (ORTT), the major authority in charge of frequency distribution and of the supervision of broadcasters; ORTT consisted of nominees from the parliamentary parties only, civil society had no representatives.⁸¹

Other regulatory provisions pertaining to the media include the following:

- state secrets classified as such by the Law 1995. LXV. cannot be covered;
- personal data identified as such by the Law 1992. LXIII. cannot be released;

⁸⁰ The only party that did not vote for the law was the Independent Smallholders Party (Downing, 1996: 164).

⁸¹ For more on the Radio and Television Act of 1996, see chapter 6.2.

- by virtue of the Penal Code, national symbols, including the national anthem, flag and coat of arms, cannot be offended;
- by virtue of the Penal Code, business secrets cannot be released;
- the Penal Code put a ban on incitement against minorities.

Some rulings of the Constitutional Court also deserve to be mentioned. On May 26, 1992, the Court ruled that non-inciting media content that offends minority groups is permitted.⁸² On June 24, 1994, it ruled that a Penal Code provision sanctioning offenses against “authority and public officials” was unconstitutional and, in harmony with the decisions of the U.S. Supreme Court⁸³ and the European Human Rights Court,⁸⁴ declared that those holding public offices may be more heavily criticized than private individuals.⁸⁵

In short, by the second half of the 1990s, some of the basic legal institutions that were to safeguard the freedom of the media were established. But, as the next chapter will reveal, these democratic institutions failed to do away with some behavior patterns challenging the freedom of the media.

⁸² 1992/30 ruling of the Constitutional Court.

⁸³ *New York Times v. Sullivan* 24, 376 U.S. 254 (1964).

⁸⁴ *Lingens v. Austria*, July 8, 1986, Series A. No. 103; *Castells v. Spain*, April 23, 1992, Series A. no. 236.

⁸⁵ Ruling of the Constitutional Court, no. 1994/39.

5.2.2. Media policy declarations and measures, 1990–2002

In the period late 1990–early 2003, the various political parties issued a number of media policy declarations. Only a selection of these can be presented here; I chose to discuss those that were released by the media policy makers of parties that influenced the media policies of the day.

For the Antall–Boross government (1990–1994), the first policy declaration that deserves to be mentioned was made by Imre Kónya, fraction leader of the biggest coalition party MDF on August 24, 1991. Kónya suggested that

the liberated press and public service media are ruled by those representatives of the [journalistic] profession who had lost their credibility under the old regime and are hostile to the current coalition government. For this reason, while the function of the press as a controller of the executive power is met to the full, the other function of mass communication, namely that of objective information is hardly met ... it is my conviction that the radical transformation of the political engagement and the spirit of Hungarian Radio and Hungarian Television can be done. This is absolutely necessary in order to make sure that the political transformation, parliamentarism, the parties—*especially the governing parties*—be represented in accordance with their real significance (emphasis added).⁸⁶

The program of political intervention into the media was even more explicitly expressed by István Csurka:

⁸⁶ For the full text of Kónya's paper, see *Magyar Hírlap*, September 9, 1991.

[w]hy would the government not be entitled to have a media outlet of its own? ... It is a misunderstanding that the press should be free from everything. The press is serving interests and, currently, the Hungarian press is serving interests that run against both the government and MDF (quoted in Sükösd, 1992: 64).

The media policy makers of the next government coalition, gathering MSZP and SZDSZ and headed by Premier Gyula Horn (1994–1998), advocated on the rhetorical level very different media policy principles and despised government intervention into the media. On behalf of MSZP, Iván Vitányi argued in an interview that

we must make sure that ... public service radio and public service television are not under the control of government, nor that of the parties; that is, they aim impartiality and factuality ... all socially relevant views must be given a chance to be expressed (Vitányi in Mihancsik, 1994: 51).

In a similar vein, the 1994 electoral program of SZDSZ declared that

SZDSZ has been and will be the initiator of legal measures that aim the abolition of state-ownership in the press, and to establish the independence and non-partisanship of the public service media ... The media policy of SZDSZ does not aim to control the press. Instead, it aims to deprive the government of the day from any opportunity to take control of the press. It has the democratic goal of making the press one of the major safeguards of the open society. ... Unlike the conservative and socialist media policies, we do not aim to achieve this goal by means of giving directions as to what content the press should cover; we aim to maintain its plurality, and to abolish the monopoly [of Hungarian Television and Hungarian Radio]. ... The press must make sure that citizens can access the media both actively and passively, i.e., they have to be able to gather information on public matters on the one hand, and to express their opinions on the other. ... SZDSZ regards the press as the parliament of the public that the parliament of the legislators has no right to interfere with. ... SZDSZ considers the recognition of the fact that the press belongs to society, not

to the state, to be a condition for any government coalition. The print press and the broadcast media must not be state property.⁸⁷

The media policy declarations of the next government, gathering Fidesz-MPP, MDF, FKgP and headed by Premier Viktor Orbán (1998–2002) marked a shift back to government intervention into the media. István Elek, media policy advisor to the Prime Minister recalled the majority argument politicians of MDF had formerly advocated:

[on the basis of the election results that grant powers to the government] and for the public weal, the new government must play a more initiative and active part on the marketplace of ideas. ... For many decades before the regime change, the various colors of the communist, socialist value system had a quasi-total monopoly in both the print press and the broadcast media in Hungary. [It follows that the current position of newspapers in the market] is determined by the advantages and disadvantages that existed at the time of departure [i.e., in 1990] in terms of both the supply and demand. The positive discrimination of right-wing values today is morally justified by the fact that in the socialist period these values were harshly suppressed (Elek, 1999: 184).⁸⁸

The media policy declarations of the next government coalition between MSZP and SZDSZ, headed by Péter Medgyessy (2002–), marked, once again, a return to the principle of non-intervention. After criticizing the media policy of the Orbán government, Ildikó Lendvai, then media policy maker of MSZP, noted that

⁸⁷ *A Szabad Demokraták Szövetsége pártprogramja* (1994: 201–209). The program was edited by Tamás Bauer, the chapter on press freedom by Miklós Haraszti.

⁸⁸ It is noteworthy that a few years earlier the media policy declarations of Fidesz had advocated very different principles. The 1994 electoral program of the party had declared that “Fidesz aims to create favorable conditions for the realization of constitutional liberties (the freedom of expression, the freedom of the press). In order to safeguard these freedoms, the laws regulating communication opportunities need to be created as soon as possible. ... Regulation must make sure that the various values and interests are freely represented in the means of mass communication. Individuals, social groups as well as business groups

[The job of the new government is] to restore the freedom of the press and the media, either by [active] measures or by self-restraint (i.e., if needed, by action, if needed, by inaction), to safeguard their plural structure, and to grant the financial and legal support necessary for this plurality to exist. ... The media policy of MSZP is based on the principles of the freedom of information and the freedom of the media. It aims to enhance public access to authentic information and valuable culture [*sic*]. As for the negative phenomena [in the media], MSZP does not wish to use administrative measures to restrain them, rather, it aims to grant financial and legal support to cultural and public values (Lendvai, 2000/2001: 481–487).

Similarly, Márton Kozák, media policy maker of SZDSZ, after a brief analysis of the media policy of the Orbán government, argued that

[a]ttacks by the legislator that aim to intimidate media enterprises ... must be terminated once and for all. ... The state cannot own any press outlets, even indirectly. The state must not intervene into the market (Kozák, 2000/2001: 489–494).

Most media policy declarations of the era relied on rhetorical references to the freedom of the media and diversity of views, yet they differed widely on how they judged the role of the state in maintaining that freedom and diversity: some argued for governmental intervention, others for non-intervention.⁸⁹ However, as the rest of this chapter will reveal, in practical terms governmental intervention remained an important means of media policy in the post-communist era.

need to be given the opportunity to take part in mass communication. ... It is a conviction of Fidesz that all kinds of government intervention into the press must be abolished.”

⁸⁹ For a more detailed analysis of media policy declarations, see chapter 7.1.

A key means of political intervention into the media in post-communist Hungary was *intervention into their ownership structure*. In particular, the first freely elected, right/conservative government (1990–1994), intervened into the privatization of the last state-owned nationwide quality daily *Magyar Nemzet*, and in November 1990 sold it to Hersant, the French company which owned the conservative *Le Figaro*, whose political views were close to the government (Sükösd, 1992: 69–70; Juhász, 1993: 112–113). Then the same government, under the premiership of Péter Boross who succeeded Antall after his death in December 1993, re-nationalized the daily in April 1994. Through the state-owned Hírlapkiadó Publishing House headed by József Horti, an associate to Prime Minister Antall, the conservative government also took an active part in founding the conservative quality daily *Új Magyarország* (New Hungary) whose first issue came out on National Holiday March 15, 1991 (Juhász, 1994: 257–258). The new daily's editor-in-chief was Gábor Albert, a founding member of MDF.⁹⁰ Despite state subsidies, *Új Magyarország* made heavy losses, and eventually ceased publication, although it was re-established under the title *Napi Magyarország* (Daily Hungary) in 1997 (Juhász, 2003: 89–90).

After the government change in 1994, the first socialist/liberal coalition, headed by Gyula Horn, also intervened into the ownership of the newspaper market when it built up the 'press empire' of the state-owned Postabank. The bank published a variety of newspapers from both the right and the left wings of the political spectrum, including the conservative daily *Magyar Nemzet* (Hungarian Nation), the liberal tabloid *Kurír* (Courier), and the liberal weekly *Magyar Narancs* (Hungarian Orange) (Juhász, 2003).

⁹⁰ Gábor Albert defined the role of *Új Magyarország* like this: "an independent organ that is close to the

The second right/conservative government, headed by Viktor Orbán (1998–2002), united the loss-making *Napi Magyarország* with another conservative daily, the loss-making *Magyar Nemzet*, as well as *Sportfogadás* (Sportsbetting) in the spring of 2000 in an attempt to create one profitable and strong conservative daily organ; readers could buy *Sportfogadás* along with the conservative daily only, the supplement was therefore likely to raise the circulation of *Magyar Nemzet* among sport gamblers (Kaposi, 2001: 24). The Orbán government also created a new political weekly called *Heti Válasz* (Weekly Reply); the chief editor of the paper was István Elek, former MP of MDF, at that time media policy advisor to Prime Minister Orbán.

The Orbán administration also intervened into the ownership structures of *Hungarian Television*, *Hungarian Radio* and *Danube Television* by preventing the establishment of plural board of trustees. The three boards were normally composed of four nominees by the coalition parties and four by the opposition parties. However, the coalition parties, along with the oppositional MIÉP, obstructed the election of the nominees of MSZP and SZDSZ. The Board of *MTV* remained incomplete after February 1999, those of *DTV* and *MR* after February and March 2000. The procedure was found unconstitutional by both the Constitutional Court and the General Attorney,⁹¹ yet the constitution of the boards was not changed.

In the first year of the second socialist/liberal coalition government, headed by Péter Medgyessy (2002–), *Sportfogadás*, the supplement of *Magyar Nemzet*, was removed from the conservative daily and added to the apolitical sports daily *Nemzeti*

government ... without any extremities” (quoted in Papp, 2002).

⁹¹ For the full text of the opinion of Attorney General Kálmán Györgyi, see *Népszava*, March 22, 2000.

Sport (National Sports): this maneuver shook the financial position of *Magyar Nemzet* (Juhász, 2003).

In addition to direct political intervention, the 1990s and early 2000s marked the presence of the subsequent governments and the political parties in the Hungarian newspaper market in more subtle ways as well. State-owned publishing houses (Publica Share Holding Company, Magyar Hivatalos Közlönykiadó Ltd, Hírlapkiadó Share Holding Company), state-owned banks (Magyar Hitel Bank, Kereskedelmi Bank, Postabank), and other companies (Kontrax Share Holding Company, Mahír Share Holding Company) published various titles. In Hungary, there was no regulation setting limit to press ownership in the hands of private ventures or the state.⁹²

In addition to the latent presence of the Hungarian governments and political parties through state-owned ventures on the newspaper market, the political parties had a more direct impact upon some of the press as well. They disguised their presence on the newspaper market in the form of various foundations, including Szabad Sajtó Alapítvány (Free Press Foundation – MSZP), co-owner of *Népszabadság*; József Attila Alapítvány (Attila József Foundation – MSZP), co-owner of the weekly *Szabad Föld* (Free Land) until the late 1990s; and Természet- és Társadalombarát Fejlődésért Közalapítvány (Nature and Society Friendly Development Public Foundation – Fidesz-MPP), publisher of *Heti Válasz* (Juhász, 2003).⁹³

⁹² Cross-ownership with the broadcast media, however, has been limited since the 1996 Radio and Television Act was passed. However, the Hungarian state was not considered one single owner, which allowed to it to have several nationwide television channels and radio stations at the same time.

⁹³ In addition to this, the parties had their own weekly, biweekly or monthly titles: SZDSZ was associated with *Beszélő*, FKgP published *Kis Újság* (Small Newspaper), the early Fidesz published *Magyar Narancs*, MDF and later MIÉP were associated with *Magyar Fórum* (Hungarian Forum), and the Workers Party published *Szabadság* (Freedom).

Political intervention into *the distribution of media resources* also recurred in post-communist Hungary. The Antall–Boross government granted financial support through state-owned banks to *Reggeli Pesti Hírlap* (The Pest Morning Post),⁹⁴ a conservative nationwide quality daily established in the spring of 1990 which, however, ceased publication in early 1992. András Bencsik, the editor-in-chief of *Reggeli Pesti Hírlap*, was a candidate of MDF at the 1994 legislative elections (Juhász, 1994: 257–258). This government also made sure that the state-owned companies, such as Szerencsejáték Share Holding Company, placed commercial advertisements in the loyal press (Juhász, 1998b). In the fall of 1992, the government, unable to remove Hankiss from his position, diminished the budget of *Hungarian Television* in order to exert pressure on the institution (Sükösd, 1992: 69–70). In December, the same year, the government majority decided to include the 1993 budget of *Hungarian Radio* and *Hungarian Television* in the budget of the Prime Minister’s Office (Downing, 1996: 161).

In the Horn era, Postabank, the most important publisher and subsidizer, financed both conservative and liberal newspapers, such as *Beszélő* (liberal) and *Heti Nemzeti Újság* (conservative) (Juhász, 1996). During the same period, the state publisher Magyar Hivatalos Közlönykiadó Ltd continued publishing the journal *Valóság* whose editor-in-chief László Tőkéczy was an influential personality with the right/conservative parties (Juhász, 1998c).

Under the Orbán government, however, Postabank stopped financing the losses of two liberal organs, namely *Kurír* and *Magyar Narancs*, but continued to cover the losses of the conservative *Magyar Nemzet* (Vásárhelyi, 1999b: 262). This period also saw the

⁹⁴ Its title was later changed to *Napi Pesti Hírlap* (The Daily Pest Post).

financing of such newspapers as *Kis Újság*, the official organ of FKgP, from the public budget through the ministries.⁹⁵ The Orbán government also granted unusually high state subsidies to *Nagyvilág* (The World), a journal published by the right-wing intelligentsia,⁹⁶ and to *Magyar Demokrata* (Hungarian Democrat), an extreme right weekly.⁹⁷

Under the Orbán government, *Hungarian Television* produced huge losses, which were covered from the state budget. The amount of state subsidies reached HUF 10,000,000,000–15,000,000,000 annually, totaling HUF 57–58,000,000,000 in 1998–2002.⁹⁸

The Medgyessy government decided, soon after it took office in the summer of 2002, to ‘overtake’ the public service media’s license fee from audiences and to cover it from the central budget.⁹⁹ The constitutionality of the decision was contestable, since the government used a simple majority law to modify the 1996 Radio and Television Act which, as mentioned, actually required a two-thirds majority. The Prime Minister’s office withdrew its former contract with *Magyar Nemzet* according to which it advertised in the daily for HUF 100,000,000 annually.¹⁰⁰ As mentioned, soon after the government change in 2002, *Magyar Nemzet* also lost its supplement *Sportfogadás* that had been added to it in an attempt to raise its circulation under the Orbán government (Bajnai, 2003).

⁹⁵ *Népszava*, October 4 and 5, 2000.

⁹⁶ *Magyar Narancs*, September 23, 1999.

⁹⁷ *Népszabadság*, October 30, 2000.

⁹⁸ *Népszabadság*, April 25, 2002.

⁹⁹ Law 2002. XXIII. about the modification of Law 2000. CXXXIII. on the budget of the Hungarian Republic for the years 2001 and 2002.

¹⁰⁰ *HVG*, July 27, 2002.

Regarding radio and television frequencies as a major media resource, the Antall–Boross government broke the consensus underlying the frequency moratorium of 1989 when it set up satellite-based *Danube Television*, which began broadcasting on December 24, 1992. This was done without any consultation with the opposition, in a secret government decree¹⁰¹ that created Hungária Televízió Közalapítvány (Hungary Television Public Foundation). *Danube Television*'s founders defined its mission, in harmony with the biggest coalition party's ideology, as the protection of Hungarian traditions and culture. The news director of the channel was András Erdélyi, who had worked for *Új Magyarország* (Gálik, 1994: 26; Estefán, 2000: 5–6).

Under the Horn government (1994–1998) including MSZP and SZDSZ, the 'coalition' of the socialist and conservative nominees in the National Radio and Television Board voted against Írisz TV's *Tv3*, a company associated with the liberal SZDSZ and 'cosmopolitan' U.S.-based culture, despite its being the highest bidder, and in spite of the fact that the application form submitted by one of the winners was formally incomplete (Kóczyán, 1999: 149–160). Thus the winners of the tender were CLT-UFA and MTM-SBS, two Western European companies that were deemed politically acceptable by the majority of the parliamentary parties.¹⁰²

Under the pressure of the Orbán government, the National Radio and Television Board then licensed *Pannon Radio*, a Budapest-based local radio station associated with

¹⁰¹ Government decree no. 1057/1992, issued on 1992. October 7. For more on this case, see *168 óra*, 1993/15.

¹⁰² For more on the decision-making process, see also: Jakus (1998) and Baló (2002).

MIÉP, and denied to renew the license of *Radio Forbidden*, Hungary's oldest multicultural radio station.¹⁰³

Even though Hungary's post-communist political elites were no longer in the position to control the flow of information as another major media resource, some attempts have been made to do so. When the list of Hungarian soldiers detained in Soviet prisons after World War II finally arrived from the Soviet Union in March 1992, the Antall–Boross government reserved the right of publication to *Új Magyarország*, its own creation. Prime Minister Antall also reserved interviewing rights to selected journalists, and in particular to television journalist Péter Feledy. Similarly, the monthly press conferences of Prime Minister Gyula Horn were open to selected journalists only. Prime Minister Viktor Orbán followed this unwelcome tradition: he introduced his regular 'Wednesday morning interviews' on *Hungarian Radio*, in which he answered the questions of selected loyal journalists. Most of Orbán's radio interviews were conducted by Katalin Kondor who, once she was appointed Director General of *Hungarian Radio* by the incomplete board of trustees, said that the institution would be the "loyal opposition" of the government.¹⁰⁴ Furthermore, in December 1999, the Orbán government decided not to take minutes of the ministers' meetings any longer.¹⁰⁵ The move hindered the transparency of the decision-making process (Majtényi, 2000).

A further means of political intervention into the media was the removal and nomination of top media managers and editors. In particular, the most debated event of the period was the removal of Elemér Hankiss and Csaba Gombár, Director Generals of

¹⁰³ *Népszabadság*, February 28. and March 1, 2000, *Népszava*, March 2 and 3, 2000.

¹⁰⁴ *Pagoda*, January–February, 1999.

Hungarian Television and *Hungarian Radio*, and the appointment of loyalists László Csúcs and Gábor Nahlik to run the institutions. This took place in early 1993 after a two-year conflict between the Prime Minister and the President of the Republic (Hankiss, 1996). Through government pressure on the publisher, the Antall–Boross government also discharged, despite the protest of the editorial board, the editor-in-chief of the tabloid *Esti Hírlap* and appointed loyalist Tibor Franka in the spring of 1992. Using the same methods, it also removed the editor-in-chief of another tabloid, namely *Mai Nap* (Today) in the summer of 1992 (Sükösd, 1992: 66–69). On March 1, László Csúcs, vice-president of *Hungarian Radio* with full powers, dismissed or pensioned 129 radio journalists, most of whom were known for their critical coverage of government policies.¹⁰⁶

The Horn government began its rule by removing the senior television staff appointed under the previous government. President Göncz dismissed Csúcs and Nahlik, and appointed Ádám Horváth and János Szirányi without consulting the opposition. The new Director General of *MTV* dismissed the leading editors of the prime time news programs “Híradó” (The news) and “A Hét” (The week), namely István Pálffy G. and István Stefka, while János Betlen was appointed in their place. In one day, a total of 174 journalists were dismissed from *Hungarian Television* (Downing, 1996: 163; Láncki & O’Neil, 1997: 97–98).

The Director General of *Hungarian Television* appointed by the incomplete board of trustees under the Orbán government continued his predecessor’s practice, and dismissed hundreds of journalists, especially those who were critical of the institution’s

¹⁰⁵ *Népszabadság*, December 15, 1999.

management or of the government, including among others Judit Kóthy and László Juszt. Several programs were closed down (J. Győri, 2000). At the same time, *MTV* employed several young journalists trained in its own school of journalism by, among others, István Lovas, a known extreme-right journalist. *MTV*'s news programs came to be supervised by Péter Feledy, former interviewer of conservative Prime Minister Antall, and directed by Péter Csermely, loyalists of the Orbán government, and former journalist of the extreme-right weekly *Új Demokrata*, later *Magyar Demokrata*.¹⁰⁷ *Hungarian Radio* also forced several journalists, including György Bolgár, the editor of the most popular afternoon phone-in show, to leave the public service institution after decades of employment.

After the government change in 2002, the new coalition added new members to the incomplete boards of trustees. Under pressure, the Director General of *Hungarian Television*, Károly Mendreczky (a former representative of Fidesz-MPP in Budapest's district 3) resigned from his position. Éva Rér, former editor-in-chief of "A Hét" was dismissed. News director Péter Csermely also left the institution, while Zoltán Rudi, editor-in-chief of "Híradó" in 1997–1998 took his place. László Gulyás, editor-in-chief of "Híradó", László Vitézy, chief director of the late night news magazine "Aktuális" (Current affairs) also left the institution; János Betlen, former anchor of "Aktuális" disappeared from the small screen. Ágnes Sugár, former host of MSZP's electoral campaign events was appointed deputy cultural director to *MTV*. Zsolt Bayer, a well-

¹⁰⁶ See also: Mi történt a Magyar Rádióban? A Nemzeti Tájékoztatási Iroda elemzése. *Pesti Hírlap*, March 10, 1994.

¹⁰⁷ *Népszabadság*, August 6, 2002. *Új* and *Magyar Demokrata* had gained ill-fame when publishing several articles denying the Holocaust.

known extreme-right journalist resigned from his post at *Danube Television*.¹⁰⁸ Judit Körmendy-Ékes, president of the National Radio and Television Board also resigned before her term expired; she cited pressure from the new government (Bajnai, 2003).

In addition to the above-described tools of political intervention into the media, the Hungarian governments in the 1990s and early 2000s found some additional means to change editorial content. Their methods included street demonstrations in which prominent MPs took part,¹⁰⁹ as well as establishing journalism schools to train loyal journalists.¹¹⁰ As an extreme and unusual form of political pressure, in September 1992, MP Miklós Réti, representative of MDF, began a hunger strike in protest against President Göncz's refusal to dismiss Hankiss and Gombár.

In some cases, the governments and the politicians of the coalition parties even used the police to stop critical journalists. Most notably, the police raided the editorial offices of the weekly *Kriminális* in May 1999 after the newspaper published documents questioning Prime Minister Viktor Orbán's credibility. The police confiscated the passport of editor-in-chief László, but charges were later found groundless.¹¹¹ The newsrooms of the daily *Világgazdaság* were also searched by the police in September 1999 after it published the names of politicians and other figures who had been granted bank loans at unusually favorable interest rates. In July 2000, Attila Varga, journalist of

¹⁰⁸ *Népszabadság*, June 17, 22, 28, July 4, 17, 31, and August 6, 2002. *Népszava*, June 26, 2002. *Heti Válasz*, July 26, 2002. *HVG*, July 27, 2002.

¹⁰⁹ For example, the one on September 19, 1992 in front of *Hungarian Television* where István Csurka, then vice-president of MDF made a speech, or the one held on August 30, 2002 in the same place with former Prime Minister Viktor Orbán making a speech to the demonstrators.

¹¹⁰ For example, the 'Journalism Academy' of *Hungarian Television*, lead by the above-mentioned István Lovas.

¹¹¹ For more on the case, see Szikinger (1999).

the left-wing quality daily *Népszabadság* was interviewed as suspect by the police after he published an article on smallholder MP Gyula Balogh. His fingerprints and photo were registered.¹¹²

The Orbán government also attempted to change legislation in order to limit critical press coverage: ‘Lex Répássy’, a law passed by parliament in May 2001 but rejected by the Constitutional Court was to allow those whose “private rights are offended” to publicize their counter-opinion in the same newspapers and media. In addition to this, the titles transgressing the law would be bound to pay a penalty of public utility to the state. In May 2000, the government majority amended the lustration law in such a way that it covered the top personnel of the media; the message underlying the modification was that journalists had been collaborators under the old regime.¹¹³

5.2.3. Public reaction, 1990–2002

A part of the general public and the journalistic community perceived the media policies of post-communist Hungary’s subsequent governments as a threat to the freedom of expression, and several attempts have been made to eliminate this behavior. Public dissent, from ordinary citizens and journalists, was expressed in a diversity of ways throughout the 1990s and early 2000s. In particular, the period saw a number of massive street demonstrations, most of which took place in front of the buildings of *Hungarian*

¹¹² *Népszabadság*, July 22, 2000.

¹¹³ For more on this, see *Népszava*, February 12, March 8, May 25, June 23 and 27, July 31, August 30, December 28, 2000.

Radio and Hungarian Television. A number of Hungarian media freedom watch NGOs also protested on several occasions.¹¹⁴

Journalists protested in the press against political attempts to control the media in the form of editorials and caricatures; they also published readers' letters protesting against political pressure on the media as well as accounts of how the free media worked in established Western democracies. Hungarian professional organizations also expressed concern with the incumbent governments' media policy in the form of open letters, the collection of signatures, the organization of conferences and roundtable discussions, e-mail messages, petitions and lawsuits. Such professional organizations included, among others, the Hungarian Journalists Association, the Openness Club, the Free Expression Movement, the Civic Circles, and the Hungarian Press Freedom Center. International professional organizations, including Freedom House, the International Journalists Association, the International Press Institute and the Committee to Protect Journalists expressed concern with the state of media freedom in Hungary. The representatives of foreign countries delegated to Hungary, including Peter Tufo, Ambassador of the United States, Nigel Thorpe, that of the United Kingdom, and Michael Lake, that of the European Union, also raised their voice in defense of the freedom of expression.

¹¹⁴ For a list of such NGOs, see chapter 8.1.

5.2.4. The impact of political pressure on the media in post-communist Hungary

Political pressure on the media is one matter; its impact upon the media is another. In the next few chapters, I will attempt to assess the actual impact of political pressure on the media in post-communist Hungary.

5.2.4.1. Pro-government bias in the public service media

Political pressure on the media aims to achieve positive coverage of the government's policies and to silence criticism. The efficiency of such pressure in reaching this goal is best measured through qualitative and quantitative analyses of news coverage. The news programs of public service *Hungarian Television* have special importance because, until October 1997 when commercial television channels were launched, they were the main source of political information for the majority of the public. In 1993 for example, 70 percent of the Hungarian public watched the first channel *MTVI* on a daily basis (Biro, 1994: 702). In 1994, 65 percent said that their primary information source was the public service television, then still a monopoly (Tóka & Popescu, 2002: 23). After the launch of commercial television channels in 1997, the audience reach, and hence political importance, of *Hungarian Television's* prime time news programs diminished significantly. In early 1999, 31 percent of the Hungarian public watched the 7:30 news

program “Híradó” on a regular basis¹¹⁵, in the summer of 2001 39 percent (Vásárhelyi, 2002: 18; Bajomi-Lázár & Bajomi-Lázár, 2001: 40). In this chapter, I will discuss empirical evidence demonstrating the pro-government bias of public service television in the period 1990–2002. Because of the lack of systematic and longitudinal qualitative or quantitative analyses in the period 1990–2002, the data available are fragmentary. Yet the high quantity of data allows for some general conclusions to be drawn.

A qualitative and quantitative analysis conducted by the Monitor Group of the Openness Club revealed that *in the Antall–Boross era*, more specifically in the fall of 1993 “Híradó” and “A Hét”, the major prime time news magazines on *Hungarian Television*, watched by 38 and 42 percent, respectively (Biro, 1994: 702–703), aired a greater amount of positive news than the alternative resources did, reaching up to 25 percent of all news items. The Sunday evening news magazine “A Hét” especially pursued a strategy of success propaganda as it tended to ignore bad news that other news resources covered extensively (Argejő et al., 1994: 588, 592). Another quantitative analysis of the major television news programs conducted in late 1993 and early 1994 confirmed these findings: it revealed that “Híradó” focused on positive phenomena and attributed positive achievements without exception to either the government or the coalition parties (Beck, [1994] 1998: 24–25). A qualitative analysis of the news coverage of “Híradó” conducted in March 1994 revealed that the editors of the prime time news program covered current affairs in a biased and selective way, and attempted to manipulate viewers by means of presenting opposition parties in an extremely negative context (Terestyéni, [1994] 1998: 27–32).

¹¹⁵ I.e., every day or several days a week.

Pro-government bias on public service television persisted *in the Horn era*. A quantitative analysis of “A Hét” in 1996 revealed that the politicians of the government and the coalition parties featured in up to 97 percent of the domestic news.¹¹⁶ This overrepresents the government and the coalition parties in terms of both the British and the French standards, the British standard being that the government and the opposition should feature proportionately with their mandates in Parliament; the French standard being one-third of airtime devoted to the government, one-third to the coalition parties, and one third to the opposition, not counting the President of the Republic (cf. Mádl & Szabó, 1999a: 245–246).

Although pro-government news bias persisted in the Horn era, its intensity diminished. As longitudinal quantitative analyses conducted in March 1994, March 1995 and March 1996 revealed, after the legislative elections in April 1994 “Híradó” attributed success stories to either the new government or the coalition parties (instead of the opposition), although to a lesser extent than before the government change (Beck, [1996] 1998: 59–60). Another longitudinal comparison of all news programs between 1993 and 1996 confirmed that pro-government bias was more marked under the Antall–Boross government than in the Horn era. In May 1993, government officials and coalition representatives featured in 84 percent of the domestic political news, while the opposition had a 16 percent share. In May 1996, the same figures were 72 and 28 percent, respectively.¹¹⁷

¹¹⁶ In September 1996, they featured in 97 percent of the domestic political news, in October in 71 percent, in November in 91 percent, while in December in only 45 percent. For more on this research, see Gayer & Molnár (1997).

¹¹⁷ For more on this, see: Gayer & Molnár (1996).

A combined quantitative and qualitative analysis of the news programs of public service television in the fall of 1996 concluded that while in quantitative terms (i.e., regarding their opportunities to comment on current affairs) the politicians of the government and those of the opposition had an almost equal coverage, the editors used some other means of manipulation that were tangible via qualitative methods (such as the camera perspective on the speaker or on the audience of the speaker) that presented government officials and the representatives of the coalition parties in a slightly more positive way than the opposition (Gayer et al., 1997: 225). Furthermore, as a comparative analysis of the television news agendas in late 1993 and late 1997 showed, news programs became more problem-oriented and less ideological. Pseudo-events, such as solemn road-openings and other ceremonies showing government politicians in a positive way, disappeared from the evening news (Terestyéni, 1998: 59).

The difference in the extent of pro-government bias under the first two freely elected governments was also reflected in viewers' opinions. After the 1994 legislative election campaign period, 45 percent of interviewees in a representative opinion survey responded that "Híradó" had been biased in favor of the biggest coalition party MDF; after the 1998 legislative election campaign period, only 22 percent thought that it had been biased in favor of MSZP, then the biggest coalition party (Tóka & Popescu, 2002: 24). According to another representative opinion poll conducted in March 1998, 41 percent of the interviewees thought that the media were freer in the Horn era than under the Antall–Boross government, while 26 percent saw things the other way around (Gradvohl et al., 1998: 14).

The rule of *the Orbán government* also saw a marked pro-government bias in the broadcast media. After July 1998, the prime time news programs of the then existing six major public service and commercial television channels¹¹⁸ featured government officials and the representatives of the coalition parties in up to 81 percent of the domestic political news, in most cases in a positive context. The opposition was more frequently subject to negative news coverage (Mádl & Szabó, 1999b: 24–28). In 1999, the government and the coalition parties featured in 76–84 percent of all domestic political news; on several issues only government politicians were asked to comment, while the opposition did not receive any airtime at all (Mádl & Szabó, 2000: 32–37). In 2000, the government and the coalition parties remained over-represented, featuring in 73–83 percent of the domestic political news (Mádl & Szabó, 2001: 25); in 2001, in 66–85 percent (Baranyai & Plauschin, 2001: 31). Although the above-described quantitative analyses did not make a distinction between the news programs of the public service and the commercial channels, another analysis comparing the main public service news program with the most popular commercial news program from November 1999 to January 2000 revealed that “Híradó” presented much more good news than “Tények” (Facts), the prime time news show of the then most popular commercial channel *tv2*. The proportion of positive and negative news items was 22:31 and 7:48 in the two programs, respectively (Nyilas, 2000: 70).¹¹⁹

The persistence of pro-government bias in the public service media, of course, does not imply that the public automatically adopted pro-government views. In a

¹¹⁸ *MTV1, MTV2, Danube Television, RTL Klub, tv2, and Tv3.*

¹¹⁹ When this thesis was concluded in June 2003, no quantitative data was available on how the major news programs covered the Medgyessy government and the opposition.

longitudinal survey, Gábor Tóka and Marina Popescu studied the impact of pro-government bias on public television and found that biased news coverage did not ordinarily improve the government's popularity. Indeed, they concluded that pro-government bias may have had a 'boomerang' effect, i.e., it could even have worsened the government's chances to get re-elected (Tóka & Popescu, 2002: 35–36).

Election results confirm this finding: none of the first three post-communist governments were able to win the legislative elections and to stay in office for a second term (the fourth one still doing its first term at the time of writing).

5.2.4.2. Journalists' perception of political pressure

Empirical evidence of political intervention into the freedom of the media is also backed by the subjective impressions of journalists. According to a representative longitudinal opinion poll conducted by Mária Vásárhelyi in 1992, 1997 and 2000 among hundreds of Hungarian journalists, during the 1990s and in 2000 corruption, cooperation between the political parties, business groups and the organized crime were leading items on the list of issues that most journalists perceived as taboo that they could not cover. Every second journalist said that the political parties had too much influence upon the media. Two out of three strongly agreed (33 %) or agreed (39 %) with the view that the political parties have institutionalized their control over the public service media.

Moreover, journalists perceived a gradual decline in their autonomy and an increase in political pressure throughout the 1990s. The same longitudinal study shows

that in 1992, 45 percent of journalists thought that there was total press freedom, while in 1997 and in 2000 only about 27 percent had this opinion.¹²⁰ In 1992, 45 percent said that they were free to comment on facts, in 1997 and 2000 only 31 percent thought so. In 1997, 38 percent reported on political efforts to prevent the publication of compromising information, in 2000, 49 percent did so (Vásárhelyi, 1999a: 125–126; 2001: 67–71).¹²¹

5.2.6. Summary, 1990–2002

Throughout the 1990s and early 2000s, the Hungarian political elites challenged the freedom of the media, even though the intensity of political intervention varied. The rules of the right/conservative governments were marked with more intense intervention than those of the left/liberal ones. However, public outcry to the successive post-communist governments' efforts to curtail media freedom showed a continuous effort to marginalize behavior patterns incompatible with the freedom of the media. The 'media war' was fought for the re-establishment of political intervention into the media on the one hand, and for the consolidation of media freedom as the 'only game in town' on the other. Although the freedom of the media had emerged in Hungary with the 1990 deconstruction of most of the institutions of political control over the media, it did not wholly consolidate in the next 13 years.

¹²⁰ When this thesis was concluded, no empirical data was available on how journalists viewed the status of media freedom under the Medgyessy government.

¹²¹ It needs to be noted that during the same period the quantitative press freedom surveys of Freedom House displayed a gradual improvement (with fluctuations) in the status of press freedom in Hungary, a finding inconsistent with the journalists' subjective perception of deteriorating media freedom throughout

6. The institutional dimension of the consolidation of media freedom

As mentioned earlier, those pursuing the institutional approach have highlighted the imperfect democratic re-institutionalization of the media. Based on this view, the hypotheses were formulated that the Radio and Television Act of 1996 was passed too late (hypothesis 1a) and, once passed, it failed to meet its ends, and in particular to secure the public service media's freedom vis-à-vis the political elites (hypothesis 1b). It was also suggested that no press fund was established to secure the financial independence of the print press (hypothesis 1c), and that slow and badly designed democratic re-institutionalization had hindered the consolidation of media freedom. Whether empirical evidence is consistent with these three hypotheses will be tested separately. In chapter 6.1., I will take a look at whether a broadcasting regulation passed in the early 1990s would have improved the freedom of the media. In chapter 6.2., I will try to answer the question whether the regulatory solutions introduced by the Radio and Television Act of 1996 were more contestable than those of the media laws in advanced democracies. Finally, in chapter 6.3., I will inquire whether press funds enhance the freedom of the print press.

6.1. Broadcasting regulation in a comparative perspective, 1990–1995

the period. The two sets of data, however, cannot be directly compared, as Mária Vásárhelyi's polls were not conducted on a yearly basis.

The hypothesis that the early passing of a broadcasting act would have furthered the consolidation of media freedom in Hungary can be tested, as mentioned, in two ways. It can be done by way of a cross-country comparison: one may see whether post-communist countries with an early passed broadcasting regulation scored better in the Freedom House annual press freedom surveys in the first half of the 1990s than those without. It can also be done by way of a longitudinal intra-country comparison: one can inquire whether the passing of broadcasting regulation improved the status of media freedom as measured by the Freedom House in the various post-communist democracies.

My cross-country comparison will include the following countries: Hungary, Albania, Bulgaria, the Czech Republic, Lithuania, Poland, Romania and Slovakia. As mentioned, Hungary had no broadcasting regulation in the first half of the 1990s; the only provisions regarding the broadcast media in this period were the frequency moratorium issued in July 1989 on the eve of the political transformation, by the last communist government, freezing the distribution of new radio and television licenses, and the relevant provisions of the MDF–SZDSZ pact signed in April 1990. Hungary's Radio and Television Act was finally passed in late 1995 and came into force in 1996. The Broadcasting Act of what was then Czechoslovakia was passed in late 1991; it was amended several times in the 1990s in Slovakia, and modified in early 2001 in the Czech Republic. Poland's Broadcasting Act was passed in 1992 and modified in 1995. The Albanian Broadcasting Act was passed in 1998. The Lithuanian parliament passed its Media Act in 1996. The Romanian Audiovisual Act was passed in 1992, and the Romanian Law on Public Service Radio and Television in 1994 and modified in 1998. The Bulgarian Broadcasting Act was only passed in 1998.

Theoretically, broadcasting regulation may improve the freedom of the media in at least three ways. Firstly, it may launch *privatization*, i.e., introduce privately owned commercial broadcasters. In the case of the post-communist democracies, private ownership predominantly implies foreign ownership of the media, which may enhance the broadcasters' autonomy vis-à-vis the domestic political elites. It may also enrich audience choice and thereby relax political pressure on the public service media, because public broadcasters operating in a plural media environment are no longer able to set the public agenda, and hence the perceived political stake of controlling these institutions decreases.

Secondly, broadcasting regulation may democratize the *supervision of the public service media* because, under the communist regimes, the direct subordination of the state broadcasters to the communist party had been a key media policy instrument allowing for the political control of these institutions, since the top managers and broadcast editors were appointed on the basis of political loyalty. The broadcasting boards should function as a buffer between the broadcasters and parliament; they are a means to separate the legislative and the executive powers. Although the mechanisms of democratic supervision of the public media vary even in the advanced democracies, they all embrace the idea that the public nature of the public service media is best guaranteed by a supervisory system representing a variety of actors. The democratization of supervision means the decentralization of control over these institutions, and hence the elimination of one-sided political pressure.

Thirdly, broadcasting regulation may improve *the funding of the public service media*. Financial independence is a precondition for political independence. In the

communist era, the broadcasters' reliance on state subsidies made them government loudspeakers. Democratic broadcasting regulation aims to make the public service media independent of funding controlled by the government majority, and hence to improve their editorial independence.

All of these three issues seem relevant for the case of Hungary. The lack of broadcasting regulation did not allow for the establishment of any nationwide private media outlet for most of the 1990s. No new nationwide radio and television licenses were issued, with the exception of that of *Danube Television*, a satellite-based public service channel established by a government decree in 1992. With the three broadcasters *Hungarian Television*, *Danube Television* and *Hungarian Radio*, the Hungarian state—that is, the coalition majority in this case—enjoyed a monopoly in broadcasting. Hungary's first nationwide private television channels, *RTL Klub* and *tv2*, began broadcasting as late as October 1997. By virtue of the MDF–SZDSZ pact, the Director Generals of *Hungarian Radio* and *Hungarian Television* were nominated by the Prime Minister and appointed by the President of the Republic. Their removal also required the consensus of these two. When they could not come to an agreement, Prime Minister Antall tried to remove Director Generals Elemér Hankiss and Csaba Gombár by appeal to a decree issued in 1974 by the (communist) ministers' committee,¹²² a provision that the Constitutional Court later found unconstitutional.¹²³ *Hungarian Television* relied on three sources: subscription fees, commercial advertisements and state subsidies. Of these, state subsidies played a key role: as mentioned, in late 1992, the Antall government decided to

¹²² Decision no. 1047/1974.

¹²³ Hungarian Constitutional Court, June 8, 1992.

freeze a part of *MTV*'s budget in an attempt to exert pressure on Hankiss. In December, the same year, it made the budget of *MTV* and *MR* part of the budget of the Prime Minister's Office.

The recent media history of other post-communist countries suggests that regulation offers some kind of a remedy to these problems. As regards *privatization*, the 1991 Broadcasting Act in the Czech Republic allowed *TV Nova* (a company run by CME and local investors) to begin broadcasting in February 1994 (Köpplova & Jirák, 1995: 120; Metykova, 2001). Soon after the introduction of *TV Nova*, the audience share of the two public service channels *ČT1* and *ČT2* dropped significantly: they reached only about 32 percent of the viewers (Czech Television Yearbook, 2000: 42–43). In Poland, the first private channels, namely *Polonia 1* (owned by the Italian Nicola Grauso) and *PolSat* (owned by an emigrant Pole, Zygmund Solorz) started broadcasting in 1994. Here, the public service channels experienced a lesser drop in their audiences, retaining 48 percent of the national audiences on average (Splichal, 1994: 51–53; Jakubowicz, 1995: 142–143; Downing, 1996: 149–152; Guide to Polish Television, 2000: 42; Ociepka, 2001: 114–118). In Romania, the biggest commercial channels *Pro TV* (SBS Broadcasting), *Antena 1* (various foreign investors), and *Prima TV* (SBS Broadcasting) were established in 1995 (Splichal, 1994: 62–63; Mungiu-Pippidi, 2001: 82–85; Gross, 2002: 41). Toward the end of the 1990s, *TVR1* and *TVR2* were watched by some 40 percent of the audiences (with 37.7 percent watching *TVR1* and only 2.5 percent viewing *TVR2*). The third public service channel, the satellite-based *Romania International*, hardly had any domestic viewers. In Slovakia, the first private television channel *TV Markíza* (owned by Slovak entrepreneur Pavol Rusko and CME) began broadcasting in 1996, and was watched by

the majority of viewers (Gross, 2002: 63; Bajomi-Lázár & Simek, 2003: 387–388). In Lithuania, three private channels began broadcasting as early as 1991, including *TV3* (MTG, a Scandinavian company), *LNK* (MTG) and *Baltijos TV* (various American owners). The three nationwide commercial channels had, according to data of 1999, a total audience share of 72 percent, while the public service channel *LTV* had only about 16 percent.¹²⁴ In Bulgaria, *bTV*, a private channel (owned by Rupert Murdoch's Balkan News Corporation) began broadcasting as late as 2000, no data is currently available on how its launch has affected the audience market.¹²⁵

As regards *the supervision of the public service media*, the nomination practice in post-communist countries with an early passed media law differed significantly from that in Hungary in the first half of the 1990s. For example, in the Czech Republic, the members of the public service television and radio boards were nominated by the Chamber of Deputies (Czech Television Yearbook, 2000: 91).¹²⁶ In Poland, they were appointed by the National Broadcasting Council whose members, in turn, were elected by the Sejm (the lower house of Parliament), the Senate (the upper house), and the President of the Republic. One member of the Board of Governors was directly appointed by the Minister of Finances (Sawisz & Mikulowski-Pomorski, 1995: 87; Jakubowicz, 1995: 142–143; Ociepka, 2001: 115). Although the nomination procedures established in the Czech Republic and Poland were contestable, since they allowed for some kind of political supervision of the public service media (as they do in all countries with public

¹²⁴ Data available on the webpage of the European Journalism Center, <http://www.ejc.nl/jr.emland/lithuania.html#2>, downloaded on April 25, 2003.

¹²⁵ <http://www.ejc.nl/jr.emland/bulgaria.html>, downloaded on April 25, 2003.

¹²⁶ Since the modification of the law in early 2001, journalistic and civil organizations could also delegate members.

service broadcasting, including the United Kingdom whose *BBC* is generally considered a model to be followed) and have indeed created political scandals,¹²⁷ they were certainly much less controversial than Hungary's practice before 1996: they sought to involve several actors in the nomination procedure and hence to decentralize control. In Slovakia, the members of the board were appointed by a simple parliamentary majority, which was an even more contestable practice than that in Hungary, as it resulted in the establishing of firm governmental control over the public service media (Skolkay, 1997: 68; 2001: 124).

As regards *funding*, broadcasting acts may also provide guarantees that secure the independence of the public service media vis-à-vis the government majority. Whereas in the communist era the public service broadcasters had no separate budget, and thus depended directly on the state budget that was under the control of the party state, the various broadcasting acts passed in the post-communist countries introduced a separate budget for the public service media, and designated other sources of revenue, including both license fees and commercial advertising in an attempt to lessen the play part by state subsidies (although it was acknowledged that with the high inflation and license fee evasion rates characteristic of East Central Europe, this was a difficult task).

Was there a difference in the status of media freedom in the countries with and without broadcasting regulation in the early 1990s? Table 1 summarizing the Freedom House press freedom annual surveys' findings on page 40 of this thesis shows that in the first half of the 1990s the Czech Republic and Poland scored 20 to 19 and 30 to 21 points,

¹²⁷ For example, in Poland President Lech Wałęsa dismissed the entire National Broadcasting Council in 1996 (Ociepka, 2001: 114). In the Czech Republic the dismissal of former General Director Dušan

respectively, compared with Hungary's 30 to 38 points, Albania's 53 to 71 points, Bulgaria's 43 to 46 points, Lithuania's 30 to 25 points.¹²⁸ *The countries with a broadcasting act generally performed better according to the FH criteria than those without in the first half of the 1990s.* Slovakia (47 to 41 points) and Romania (55 to 49 points) are the exception to this rule. A possible explanation for the poor performance of these two countries is that their broadcasting acts were clearly falling short of their ends. In Slovakia, the board members were nominated by a simple parliamentary majority, which meant that in practical terms the system had not changed in comparison with the communist nomination mechanism. In Romania the various appointing bodies could not come to a consensus in 1994, as a result of which there was no board at all until 1998 when the law was modified.

One may also wonder whether there was a more direct correlation between an early passed broadcasting act and the freedom of the media as rated by the Freedom House. Table 2 summarizes data regarding regulation and the status of press freedom in the selected countries. The EU-candidate countries are marked in grey; Hungary is highlighted in bold.

Chmeliček and the appointment of Jiří Hodac caused massive street demonstrations in December 2000 (Klvana, 2001).

¹²⁸ As mentioned, the scores under the subsequent years in table 1 refer to the previous year.

Table 2. Years of regulation¹²⁹ and privatization,¹³⁰ and average Freedom House scores in selected countries

Country	Year of regulation	Year of privatization	Average FH scores 1994–2002
Czech Republic	1991	1994	20.7
Lithuania	1996	1991	21.8
Poland	1992	1995	23.6
Hungary	1996	1997	30.0
Slovakia	1991	1996	38.5
Bulgaria	1998	2000	33.8
Romania	1994	1995	45.2
Albania	1998	2000	59.7

Table 2 shows that *the earlier the first post-communist broadcasting act was passed, the freer the press in the studied countries in the period 1994–2002*. The exceptions to this rule are, again, Slovakia and Romania. Lithuania, although it had a relatively lately passed media law, also scored well because private broadcasting had been established there well before the law came into effect.

To be sure, one could argue that there is no causal relationship between early institutionalization and the status of media freedom. It can be suggested that the countries with freer media (and a more democratic political culture) were more eager to pass early their broadcasting acts than the ones with less free media (and a less democratic political culture); i.e., the law did not promote the consolidation of media freedom, but simply registered existing behavior patterns. Longitudinal intra-country comparisons, however, defy this argument. They show that *the status of the freedom of the media improved*

¹²⁹ The year the first post-communist broadcasting act went into effect (amendments and modifications may have occurred later in virtually all of the countries here discussed). In the case of Romania, 1994 is the year in which the Act on Public Service Television and Radio came into effect.

¹³⁰ The year the first nationwide commercial television channel was introduced. Local and cable radio channels owned by private individuals had begun broadcasting much earlier in the countries of the region.

significantly after the broadcasting acts were passed. In Hungary, the passing of the 1996 Radio and Television Act was followed by a six-point improvement in the next two years (34 → 28 points). In Albania, the law went into effect in 1998, a year which showed a 19-point improvement (75 → 56 points) compared with the previous year. The Romanian Public Service Radio and Television Act, passed in 1994, was followed by a three-point improvement in the next two years (50 → 47 points). The passing of the Lithuanian media law in 1996 was also followed by a three point improvement (20 → 17 points), although, as mentioned, the status of press freedom had already been much better there where the first nationwide commercial television channel was established as early as 1991. In Bulgaria, the 1998 Broadcasting Act was followed by a nine-point improvement in the next two years (39 → 30 points).

Furthermore, *media privatization, this key outcome of broadcasting regulation, seems to have played a particularly important role in the improvement of media freedom.* After the launch of *RTL Klub* and *tv2* in 1997, Hungary displayed a three-point improvement within a year (31 → 28 points). When *TV Nova* was established in early 1994, the Czech Republic displayed a two-point improvement (21 → 19 points) by 1995. Poland, where *Polonia 1* and *PolSat* were launched in the same year, displayed an eight-point improvement (29 → 21 points). In Slovakia, *TV Markíza*'s first broadcasting in 1996 was followed by a 19 point improvement (49 → 30 points) over the next two years. In Albania, the licensing of nationwide commercial broadcasters was followed by an eight-point improvement (56 → 48 points). In Romania, the launch of nationwide private broadcasters was followed by a ten-point improvement (49 → 39 points) in the next two

Because of their limited news coverage, however, their political importance is much less than that of the

years. The exception to this rule is Bulgaria, which showed a decline in the status of media freedom after the introduction of private broadcasting (26 → 29 points).

Broadcasting acts aim to eliminate behavior patterns that are incompatible with the freedom of expression, and thus to enhance the consolidation of media freedom. These data demonstrate that broadcasting regulation indeed improved the status of media freedom in most of the discussed countries. They thus confirm hypothesis 1a, which held the late passing of the Hungarian media law responsible for the persistence of political intervention into the media.

Some qualifications, however, need to be made. Firstly, broadcasting regulation *per se* is not a sufficient safeguard of media freedom. The case of Hungary (and of some other post-communist countries, especially Bulgaria, Slovakia, Romania) shows that some degree of political interference with the media persisted even when a broadcasting act had been passed. Secondly, the passing of broadcasting regulation may enhance the status of media freedom, but that improvement may not last for ever: years after the passage of the broadcasting acts in some of the countries here discussed, a temporary improvement was followed by a worsening of the status of media freedom. The countries offering evidence for this include Hungary, the Czech Republic, Bulgaria and Romania. However, even in these countries—with the exception of the Czech Republic—the status of media freedom never again reached the low scores of the pre-regulation years.

nationwide private broadcasters. For this reason, they are not considered here.

6.2. Broadcasting regulation in a comparative perspective after 1995

Some analysts studying the Hungarian media war in the second half of the 1990s suggest that political intervention into the freedom of the media may persist even with a broadcasting act passed because such regulation may fail to meet its ends. In order to test hypothesis 1b based on this argument, I will compare the mechanisms established by the 1996 Radio and Television Act in Hungary with those in some advanced democracies in the second half of the 1990s that scored significantly better in the Freedom House annual press freedom surveys, specifically the United States (13.4 points on average), Germany (14.0 points), the United Kingdom (20.6 points), and Austria (15.0 points).

Theoretically, the law may provide guarantees for the editorial independence of the public service media in two ways. Firstly, direct interference by the government with programming is most commonly eliminated in advanced democracies by means of a governing body or board of trustees that acts as a buffer between the government and the broadcaster. To achieve its ends, the governing body and the management of the broadcaster must be clearly separated. The governing body's job is to set directions and policy, while the managers' is to make day-to-day editorial decisions. Secondly, the funding of the public service media must be adequate and secure from arbitrary governmental control (Mendel, 2000: 9). In the following comparison, I will focus on the supervisory and funding mechanisms of the public service media in selected countries in the second half of the 1990s.

Hungary's three public service broadcasters (*Hungarian Television, Hungarian Radio* and *Danube Television*) were public foundations run by boards of trustees; their charters were passed by Parliament's two-third majority. The boards consisted of presidiums and ordinary members. The members of the presidiums were elected for four years by Parliament. Half of their members were nominated by the coalition and half by the opposition parties, and each parliamentary fraction had to have at least one representative. The presidiums had to have at least eight members. The Presidents of the boards were nominated by the coalition parties, the vice-presidents by the opposition parties. The boards of *MTV* and *MR* had 21 ordinary members, that of *DTV* 23 members, all of whom were elected for one year, and delegated by various non-governmental organizations, including the representative bodies of national and ethnic minorities, the churches, as well as human rights, cultural, environmental, women's and journalistic organizations. The members of the presidiums and the ordinary members could not have political functions nor could they be members of any political party. The functions of the boards included (1) the election and removal of the Director Generals, (2) passing the annual financial plans of the broadcasters, and (3) formulating recommendations regarding the amount of the annual license fee. The Director Generals were elected by the boards' members, but the applying candidates had to be approved by a two-thirds majority of the presidium, thus party nominees had greater powers than the ordinary members. The programming principles of the public service media were defined by the law.

The 1996 Radio and Television Act also established the National Radio and Television Board and the Broadcasting Fund. ORTT, which was composed of political

representatives only, monitored the programming of the public service media. The Broadcasting Fund derived its revenues from license fees paid by viewers and from broadcasting fees paid by broadcasters, and channeled them, mostly, to the public service media.¹³¹ The annual budget of the Fund was approved by Parliament. Every household owning a television set paid a license fee. The annual amount of the fee was determined by a simple majority in Parliament within the framework of the annual budget.

In *the United States*, public service broadcasting was regulated by the Public Broadcasting Act of 1967 and the Public Telecommunications Act of 1998. The Corporation for Public Broadcasting (CPB), a public company that managed cooperation among the local channels constituting the networks of *Public Broadcasting Service* (PBS) and *National Public Radio* (NPR), was run by a ten-member board of directors. The directors were appointed by the President of the United States with the approval of the Senate. Of the ten members, only six could be associated with the President's party; one member was delegated by the local television channels and one by the local radio stations constituting the two networks. The composition of the board was supposed to reflect the cultural, professional and religious diversity of American society. The powers of the board of directors were mostly limited to the management of technological cooperation and program exchange among the local television channels and radio stations with their own administrations that had joined the network on a voluntary basis.

¹³¹ As mentioned, in the summer of 2002 the Medgyessy government abolished the subscription fee and covered it from the central budget.

PBS derived 35 percent of its revenues from the federal government, *NPR* about nine percent.¹³² Their budget came primarily from voluntary donations by viewers and listeners, sponsorship by private companies, and support from local municipalities and higher educational institutions. Viewers' and listeners' donations were encouraged by the tax system which allowed taxpayers to deduct contributions from their taxes. *PBS* and *NPR* also sold books, CDs and DVDs in an effort to raise funds. The federal contribution to their budget was determined by Congress and the President for three years in advance. The amount of state subsidies, determined by the state legislations, varied significantly across the country (Lashley, 1992; Rowland, 1998). Media policy analysts note that the withdrawal of federal funding has been used as a means to exert political pressure, especially during the Nixon and Reagan administrations (Hoynes, 1999). Funding from the state level of government was also generally considered inadequate.¹³³ Although their total amount grew constantly since the introduction of the CPB in 1967, their relative share decreased significantly, reaching only 17.6 percent of the CPB's total annual budget in 1995.

In *the United Kingdom*, under the Broadcasting Act of 1990, later that of 1996, the *BBC* was managed by a Board of Governors. The 12 governors constituting the board were appointed by the Queen for a term of five years, although the right of appointment effectively lay with the Prime Minister. The governors included prominent figures from the sciences and arts, as well as territorial representatives of Scotland, Wales, and Northern Ireland. The board was responsible for (1) appointing the Director General and

¹³² See also www.pbs.org and www.npr.org.

¹³³ As compared with the funding granted to other advanced democracies' public service broadcasters and with the number of employees. See for example Rowland (1998: 46–59).

other senior managers of the institution, and (2) for setting programming principles and monitoring their observation. The work of the board was assisted by a number of internal advisory bodies without executive power. At the same time, the *BBC* was licensed by the Home Secretary, which allowed the government to interfere with programming, and even to prohibit programs from being broadcast, a right which, however, has hardly ever been used in the *BBC*'s long history. The board of governors was acknowledged to have successfully eliminated political pressure, except during the Thatcher period.

The major source of the *BBC*'s income was the license fee, paid by every household with a television set, amounting to some 82 percent of its total budget. The institution received no direct state subsidies; the rest of its budget was covered from market activities such as the sales of books, DVDs, CDs etc. The domestic services of the *BBC* did not broadcast commercial advertisements (Hoffmann-Riem, 1996; Gibbons, 1998; Mendel, 2000).¹³⁴

In Germany, broadcasting was regulated by specific laws in each of the 16 federal states, which allowed for some variation in the supervisory structure of the various Lands' public service television channels and radio stations. Each Land had passed one law on public service and another on private broadcasting. The case law of the German Constitutional Court, which every federal state was bound to observe, has however provided for a certain deal of uniformity in regulation. The public service broadcaster *Arbeitsgemeinschaft öffentlich-rechtlicher Rundfunkanstalten der Bundesrepublik Deutschland* (Working Group of Public Broadcasting Organizations of the Federal Republic of Germany, ARD) was responsible for providing for a nationwide radio station

and television channel, as well as for a third channel which varied from state to state. A second nationwide channel called *Zweite Deutsche Fernsehen* (Second German Television, ZDF) was run jointly by the states. The broadcasters of the *ARD* network were supervised by the Broadcasting Councils. The number of board members varied between 19 and 77 across Germany; they were appointed for a term of four to nine years. Some of their members were delegated by non-governmental organizations, including churches, journalistic and cultural organizations, associations of science, universities and labor unions. Other members were elected by the federal parliaments. The number of the nominees of the political parties did not exceed one-third of all members. *ZDF* had a separate broadcasting council in which all 16 states were represented on an equal footing.

The boards had both advising and supervisory powers, including (1) the approval of programming principles and monitoring obedience to programming principles, (2) the nomination of top personnel, and (3) financing. It should be noted that this system—which served as a model for Hungarian public service broadcasting—has often been criticized for enabling political parties to have their loyalists appointed as Director Generals. Although political nominees only had a minority within the broadcasting councils in formal terms, the representatives of civil society were often associated with the various political parties. However, political bias was only tangible in some of the boards, others have been widely acknowledged as politically independent (cf. Hoffmann-Riem, 1996: 148–149; Kleinwächter, 1998: 49).

The public service broadcasters were financed from license fees (paid by everyone owning a radio or television set) and commercial advertising. The amount of

¹³⁴ By contrast, its overseas services, such as *BBC America* and the *BBC World Service*, aired commercials.

the license fee was determined annually by a joint treaty among the 16 states, which needed to be ratified by all regional parliaments. The amount of the fee was based on the recommendation of the independent Broadcasting Finance Commission (Hickethier, 1996; Hoffmann-Riem, 1996; Szilády, 1997; Kleinwächter, 1998).

In Austria, public broadcasting was regulated by the Radio and Television Act of 1974, modified in 1984. The *Österreichische Rundfunkgesellschaft* (Austrian Broadcasting Corporation, ORF) was managed by a 35-member board. The board members, who served for three years, were appointed by the political parties (six members), the regions (nine), the association of viewers and listeners (six), the central council of the broadcaster (five), and the government (nine). The board (1) appointed the Director General and some of the other top personnel with a two-thirds majority vote, (2) set programming principles and monitored their observation, and (3) determined the amount of the license fee. The Representative Body of Viewers and Listeners, another supervisory body with more limited powers represented civil society. It had 35 members, 20 nominated by the Chancellor from prominent representatives of sciences, arts, and sports; the other 15 members were delegated by professional chambers, labor unions, the churches, and the higher educational institutions of the major political parties. The most important power of this body was the approval of the amount of the license fee (Szilády, 1997; Trappel, 1997).

The major characteristics of the supervision and funding of the public service media in the United States, Germany, the United Kingdom, Austria and Hungary are summarized in table 3.

Table 3. Supervision and funding of public service broadcasting in selected countries

	Members of broadcasting councils	Powers of broadcasting councils	Sources of funding	Amount of license fee or state subsidies
CPB	nominated by the President, approved by the Senate, two members delegated by the local broadcasters	coordination of technological cooperation and program exchange among networked broadcasters	federal subsidies, voluntary donations, advertising, and commercial activities	federal funding determined by Congress and President for three years in advance, state funding by state legislation
BBC	appointed by the Prime Minister (formally the Queen)	appointment of Director General and other top personnel, approval of programming principles, monitoring compliance with programming principles	license fees, advertising and commercial activities	determined annually by government until 1996, adjusted to the annual inflation rate since 1996
ARD & ZDF	elected by the regional parliaments and delegated by NGOs	appointment of Director Generals, approval of annual budgetary plan, approval of programming principles, monitoring compliance with programming principles	license fees and advertising	determined annually by joint agreement of the 16 regional parliaments
ORF	delegated by political parties, regions, the broadcaster's central council, viewers' and listeners' association, and the government	appointment of Director General and other top personnel, approval of annual budgetary plan, approval of programming principles, monitoring compliance with programming principles	license fees and advertising	determined annually by the Broadcasting Council, approved by the Representative Body of Viewers and Listeners
MTV, MR & DTV	elected by Parliament and delegated by NGOs	appointment of Director Generals, appointment or removal of supervisory body, approval of the annual budgetary plan	license fees, advertising, and state subsidies	determined annually by Parliament

As table 3 reveals, the supervision of public broadcasting was separated from the legislative and executive powers to a varying extent in the countries studied. In the two Anglo-Saxon democracies, the President and the Prime Minister had a dominant impact on the composition of the broadcasting councils, which, at least theoretically, allowed for a greater deal of governmental pressure. In the German-speaking countries, the boards involved the representatives of civil society to a greater extent, trying to rule out direct governmental intervention into programming. The Hungarian model, on the face of the issue, seemed to adopt the German–Austrian solution in that it provided non-governmental organizations with representation in the boards of trustees. Nonetheless, because the presidiums of the Hungarian boards could filter out applications for the position of the Director Generals, the power of the civil representatives was more restricted than in the German countries. Their power was further limited by their shorter terms of office, as compared with that of the political nominees. In practical terms, the Hungarian model had more in common with the Anglo-Saxon than the German–Austrian one.

In Hungary, the powers of the board, and hence the influence of government, seemed more limited than in other countries, since they did not include the establishment of programming principles or their monitoring. However, program monitoring was delegated to another body, the National Radio and Television Board which consisted of political nominees only. These mechanisms support the critique suggested by the institutional approach, namely that *public service programming in Hungary has been subject to more direct political control than in many advanced democracies* (although the British system embraced even fewer formal guarantees of editorial independence).

Perhaps even more importantly, *the funding mechanisms of the Hungarian public service media offered fewer guarantees of independence than those in the selected advanced democracies*. In the United Kingdom, the amount of the license fee has been adjusted to the annual inflation rate since 1996. In Germany and Austria, it was agreed upon as a result of consensus among a variety of a great number of social and political actors. In the United States, the amount of the state subsidies granted to the public broadcaster was determined by government majority. However, in sharp contrast with other countries, the system in the U.S. was constructed in such a way that state subsidies constituted only a minor part of the broadcaster's annual budget, which predominantly derived from the listeners' and viewers' voluntary donations. All of these solutions largely ruled out government pressure on editorial content by the threat of withdrawing funding. In Hungary, by contrast, the amount of the license fee was determined by a simple parliamentary majority. By keeping the amount of the fee low, the government of the day was able to exert pressure on the public service broadcasters.

In short, the comparison of the supervisory and funding mechanisms of the public service media in Hungary and in selected advanced democracies in the second half of the 1990s confirms hypothesis 1b: the 1996 Radio and Television Act failed to provide guarantees that eliminate political pressure on *Hungarian Radio*, *Hungarian Television* and *Danube Television*.

6.3. The regulation of the print press in a comparative perspective, 1990–2002

The institutional approach also considered the editorial independence of the print press, suggesting the hypothesis that, even though the old, communist institutional system had been dismantled by 1990, the new institutions safeguarding the freedom of newspapers have not yet been established, which hindered the consolidation of media freedom. Because of the small size of the population and the poor performance of the Hungarian economy, including the advertising industry, newspapers could not rely exclusively on sales and advertising, and had to find other sources of income, namely direct and indirect state subsidies. Attempts to raise such funds have made them the loyalists of various governments and the major political parties. The scarcity of resources hindered editorial independence and the diversity of views. Only the establishment of press funds distributing state subsidies to loss-making quality newspapers on a politically neutral basis would have improved the editorial independence and the diversity of the print press.

Even though the various quality dailies pretended to be independent, the history of the print press in post-communist Hungary supports this argument: resources were scarce and most titles would not have been able to survive without the support of the government of the day. Not only editorial independence was exposed to governmental pressure through state subsidies, but a true diversity of views was also unavailable in the daily press. On the market of the nationwide quality dailies, in the early 2000s there were only four titles available, namely *Magyar Hírlap*, *Magyar Nemzet*, *Népszabadság* and *Népszava*—the very same titles that had existed in, say, 1968. Although several attempts have been made to establish new quality dailies in the post-communist period, including

(*Reggeli Pesti Hírlap*, *Új Magyarország* and *Napi Magyarország*, none of them survived for more than three years (Juhász, 2003: 88–91).¹³⁵ Analysts of the Hungarian print press observe that some views—for example those of the environmentalists and the ethnic minorities—were not reflected at all in the daily newspapers (Kaposi, 2000: 12; Messing, 2003: 71–72).

The circulation figures of all of the four nationwide quality dailies dropped significantly after the political transformation. Only one of them—*Népszabadság*—made a profit, the other three made substantial losses and changed ownership several times throughout the 1990s and early 2000s. There was, of course, a significant difference between the direct state-ownership which characterized the communist era and the private ownership of some of the press in the post-communist period, namely ownership by companies such as Bertelsmann, Jürg Marquard and VICO. However, even in this latter period, the under-funding of some of the nationwide quality dailies drove them to be owned and funded by state-owned companies such as, among other things, Publica, Postabank and Mahír, which hindered their editorial independence vis-à-vis the government of the day.¹³⁶

The situation was similar in the market for the regional dailies. Several attempts have been made throughout the 1990s to set up new regional dailies but, with one exception, none of them survived. In the early 2000s, the major county dailies had a *de facto* monopoly in all but one of Hungary's 19 counties. This situation reminded analysts of the communist era when the only county newspapers, published by the local party

¹³⁵ By contrast, the market of tabloid newspapers displayed a remarkable growth in terms of both the number of titles and the circulation figures compared with the communist era (cf. Gulyás, 2000).

bureau, had a *de jure* monopoly. With a modified format and content,¹³⁷ and in the hands of new owners, the titles were actually the same in the 1980s and 2002 (Zöldi, 2001: 121–123). Importantly, the 19 county newspapers were owned by only five companies, namely the German Axel Springer, Westdeutsche Allgemeine Zeitung, Funk, Verlag und Druckerei, Bertelsmann, and the British Associated Newspapers. Axel Springer alone published nine county newspapers. As a result, the various titles published in the different counties were largely identical, especially in their domestic and foreign news columns (Juhász, 1998a).

This kind of horizontal concentration in the newspaper market was not a specifically Hungarian phenomenon: the advanced Western European countries have also experienced a similar trend in recent decades. Many newspapers have ceased publication since the 1960s. The resulting decline in the number of newspapers has been considered a threat to both the diversity of opinions and journalistic autonomy. The dominance of the newspaper market by a few publishers prevented the introduction of new titles, because the costs of entry to the market have increased. Concentration, and the ensuing rise of oligopolies, is the outcome of the market logic, since it offers improved economies of scale, thus allowing companies to cut costs and to raise advertising prices. The introduction of commercial broadcasting, beginning in the mid-1950s, had also reduced the advertising revenues of the print press and fostered concentration. Editorial dependence on the publisher frequently amounts to political dependence because, as a general rule, the major publishers are closely affiliated with political elites, and editors-

¹³⁶ For more on this, see chapters 5.2.3. and 7.2.3.

¹³⁷ The regional dailies underwent a process of tabloidization and, by the second half of the 1990s, became ‘broadloids’, that is, a mixture of the quality (or broadsheet) and the tabloid press.

in-chief are appointed by the publisher (Humphreys, 1996: 66–75). The cooperation between the political and the business elites is particularly well demonstrated by the case of Silvio Berlusconi, Italian media tycoon and Prime Minister. The political affiliations of some other major publishers—such as Rupert Murdoch for example—are also well known. Commercial and political censorship go hand in hand.

In order to stop the further concentration of the newspaper market, Western European legislators have had recourse to two major types of regulation. Most of them have passed various *anti-trust laws* limiting licensing, ownership and financial participation in the print press. Several countries, especially the Scandinavian and the Latin ones, have also introduced *state subsidies*. Subsidies take various forms, including indirect subsidies granted to all titles in the form of the decrease or removal of value-added tax (VAT), the introduction of favorable postal tariffs on subscription and single-copy sales, as well as direct subsidies granted to selected newspapers that were otherwise making a loss (De Bens & Østbye, 1998: 7–20; Trappel & Meier, 1998: 193–205).

As for *anti-trust regulation*, media policy analysts unanimously agree that this policy instrument has failed to meet its ends, since such regulation is easily circumvented by creating new, seemingly independent or off-shore companies, or was passed after the rise of companies already in control of a significant part of the market (e.g., Humphreys, 1996: 94; 100–102; Mazzoleni, 1997: 130; De Bens & Østbye, 1998: 12). For this reason, in this chapter I will no longer discuss anti-trust legislation. In any event, the 1996 Radio and Television Act, which prohibited cross-media ownership, that is, ownership in both the print press and the broadcast media, was Hungary's only media-related anti-trust law.

Instead, I will focus on whether the introduction of *press subsidies* has had any positive impact on the independence and diversity of the press in selected advanced democracies.

How can the efficiency of press regulation be measured? Some researchers offer cross-country comparisons of the number of nationwide and regional daily titles as an indicator of the diversity, and hence the freedom, of the press in countries with and without press subsidies, including Hungary (e.g., Kaposi, 2000: 9–13). In my view, however, such comparisons tell little about the efficiency of press regulation, since the number of titles in the newspaper market may be determined by many variables other than the existence of press subsidies, such as the status of the economy, the number of the speakers of the given language in and outside the country in question, the choice of the broadcast media, the choice of weeklies, the literacy of the less educated, the traditional dominance of either the nationwide or the regional press, the traditional dominance of either the quality or the tabloid dailies in the market,¹³⁸ reading habits,¹³⁹ and, possibly, even the climate.¹⁴⁰ Hence, a lower number of nationwide daily titles does not necessarily imply that the supply is less diverse or the press less free; a low number of dailies may, for example, be counterbalanced by a higher number of political weeklies.

One may also ask whether countries with a press fund scored better in the Freedom House annual surveys than those without. Consider table 4 below, which

¹³⁸ For example, Italy has no daily tabloids, while in the United Kingdom tabloids dominate the market in terms of circulation figures.

¹³⁹ Some countries, such as the United Kingdom for example, have Sunday papers as well as Sunday editions of the weekday papers, while others, such as Hungary, do not.

¹⁴⁰ People living in the North tend to read more newspapers than those in the South. In 1995 for example, 1,000 inhabitants purchased 606 newspapers in Norway, 479 in Sweden, and 473 in Finland, compared with 110 in Italy, 100 in Greece, and 38 in Portugal (see the circulation figures in various countries quoted in De Bens & Østbye, 1998: 17).

displays selected Western European countries and their average scores. The countries without press subsidies are marked in grey.

Table 4. Selected countries with and without press subsidies and Freedom House average scores in 1994–2002

Country	Subsidies	Average score
Norway	yes	6.3
Belgium	yes	8.8
Denmark	yes	9.2
USA	no	13.4
Germany	no	14.0
Finland	yes	14.5
Netherlands	yes	14.6
Sweden	yes	10.0
Austria	yes	15.0
UK	no	20.6
France	yes	24.1
Italy	yes	27.5

Table 4 reveals that *on an international level there is no direct correlation between the existence or lack of state subsidies and the status of media freedom.* Although most of the countries with press subsidies, and in particular Norway, Belgium, Denmark, Finland, the Netherlands, Sweden and Austria, scored well in the Freedom House annual press freedom surveys, other countries with press funds, such as France and Italy, did not. Also, some countries without press subsidies, including the United States, Germany, and the United Kingdom, scored well in the Freedom House surveys.

Longitudinal intra-country comparisons, however, may reveal whether the establishment of press funds has improved the status of media freedom. On this level, both qualitative descriptions of the loosening of newspaper/party affiliations and

quantitative accounts on the number of nationwide and regional titles before and after the establishment of press funds can illuminate the impact of state subsidies. Improved circulation figures are also an important indicator of press freedom, since they enable newspapers to rely on commercial revenues rather than funding by governments and the political parties. In what follows, I will discuss several countries where press subsidies were introduced in recent decades. As will be seen, the subsidy systems in the countries described below differ in their methods, yet they shared identical objectives: ending ownership concentration and the ensuing closing down of existing titles, facilitating market access for new titles, improving the competitive position of the print press as opposed to the broadcast media in the advertising market, and enhancing the editorial independence of the various titles vis-à-vis political elites. Importantly, none of the press subsidies systems studied below used content criteria in determining the allocation of resources: they either granted aid to all titles, or only to loss-making newspapers, without regard to their actual political stances.

In *Austria*, the number of nationwide and regional dailies dropped from 35 in 1955 to 19 in 1973. In 1975, a system of press subsidies was introduced. This system included exemption from VAT, favorable postal tariffs, and two kinds of direct subsidies: an ordinary one granted to all applying titles, and a special one designed for economically weak newspapers, the latter fund being more substantial. The budget of state subsidies was increased in 1984. From the mid-1970s, the number of titles did not change substantially: in 1997 there were still 17 newspapers in the market. Although the process of concentration continued and some newspapers closed down, several new titles were launched. Partisan newspapers lost market share: between 1987 and 1991, five party

newspapers disappeared, while the independent titles gained ground in terms of audience share and increased circulation. Between 1975 and 1990, the overall circulation of daily newspapers displayed a 12.5 percentage point increase (Humphreys, 1996: 106; Weymouth, 1996: 31; Trappel, 1997: 2–6).

Belgium also experienced a decline in the number of nationwide and regional titles in the post-war decades: there were 51 titles in 1950, 33 in 1980, and only 26 in 1996; these 26 newspapers were published by just seven companies. In 1974, a system of non-selective direct subsidies was introduced. Because subsidies were granted to all titles, including prosperous ones, they failed to compensate for the competitive disadvantage of the financially weak newspapers. Although later a more selective system was introduced, the amount of aid distributed to the press gradually diminished. This system failed to stop the ongoing process of concentration, and also failed to improve the circulation of newspapers: between 1975 and 1990, circulation figures dropped by 38.8 percentage points in the Dutch and 25.0 percentage points in the French speaking territories (Weymouth, 1996: 31; De Bens, 1997: 21; De Bens & Østbye, 1998: 14).

Concentration in the newspaper market was also high in *Denmark* in the post-war decades. While in 1945 there were 123 daily newspapers, their number dropped to 39 in 1997; the decline was particularly significant before the late 1960s. A subsidy system was introduced in 1970; in 1984 its budget was increased fourfold. Newspapers were also exempted from VAT. As a result, concentration slowed down and new titles were even introduced into the market, but none of them survived on the long run. At the same time, the party affiliation of the press loosened. Total circulation figures also improved by 6.7

percentage points between 1975 and 1990 (Humphreys, 1996: 106; Petersen & Siune, 1997: 37–39).

In *France*, the concentration of press ownership, and hence the homogenization of content, was particularly heavy in the post-war decades: in 1945 there were a total of 179 nationwide and regional titles, but in 1990, there were only 73. The newspaper market came to be controlled by two major companies: Hersant and Hachette. A press subsidy scheme (as well as anti-trust regulation) was established in the immediate post-war years.¹⁴¹ The system included both direct and indirect subsidies. Direct subsidies were distributed to daily newspapers with low advertising revenues, but this type of aid was granted to very few titles. In 1986 for example, only five nationwide newspapers benefited from this kind of aid. Indirect subsidies, which were more important than the direct payments, included tax concessions on investment, reduced VAT and reduced postal tariffs. State aid amounted to an estimated 20 percent of the total annual income of the average French daily newspaper. The establishment of a press fund catering to financially unviable newspapers, regardless of their political position, did not stop the permanent decrease in the number of nationwide and regional titles. After a temporary boom of newspapers in the immediate aftermath of World War II, only one new title—namely *Libération*—has been successfully established in the post-war era. Circulation figures also continued to drop: between 1975 and 1990 they displayed a 10.4 percentage point deterioration, despite the country's growing population and improved educational level (Kuhn, 1995: 23–42; Humphreys, 1996: 84; 104; Lamizet, 1996: 84; Weymouth, 1996: 31; Palmer & Sorbets, 1997: 58–59). Media policy analysts explain the failure of

¹⁴¹ Some elements of the system were introduced as early as 1944.

the press subsidies system to cater for the true diversity of the press by the dominance of subsidies granted to all titles without regard to their financial status; they argue that the system actually helped the better-off newspapers. No special subsidy helped establish new titles (cf. Kuhn, 1995: 36–42).

In *Italy*, seven daily papers ceased publication in the late 1960s and early 1970s, but in the next years, with the rise of the New Left, four new nationwide titles and several regional ones were established. However, ownership concentration also rose, which led to the oligopolistic position of such major publishers as, among others, Agnelli-Fiat and later Silvio Berlusconi's Fininvest. Concentration, coupled with the economic hardships of the industry, pushed legislators to introduce a press subsidy system in 1981 (updated in 1987) in an attempt to improve the competitive position of the loss-making dailies. At this time, there were a total of 77 nationwide and regional dailies. With the introduction of state subsidies, the number of titles had increased to 94 by 1994. Total circulation figures also improved, showing a 39.1 percentage point improvement between 1975 and 1990 (Humphreys, 1996: 103; Sartori, 1996: 136–147; Weymouth, 1996: 31; Mazzoleni, 1997: 128–132). Analysts note that the newspapers' editorial independence vis-à-vis the political parties also improved by the early 1990s (Mazzoleni, *ibid.*).

In *the Netherlands*, the press was particularly closely affiliated with political parties in both formal and informal terms. Since the end of World War II, the number of daily titles dropped from 115 in 1950 to 77 in 1980, and 48 in 1997. As a result of this concentration, now most of the cities typically have but one local paper. A press fund was introduced in 1967 and updated in 1974; the fund derived its revenues from a levy on television advertising and supported financially weak titles. Until 1980, newspapers did

not pay VAT. Analysts observe that press/party ties loosened significantly in the 1960s, although the newspapers have preserved their engaged stance. Total circulation figures also displayed an improvement of 9.5 percentage points between 1975 and 1990. However, the decrease in the number of titles was not stopped by the introduction of state subsidies (Humphreys, 1996: 105–106; Weymouth, 1996: 31; Brants & McQuail, 1997: 154–167; De Bens & Østbye, 1998: 9).

In *Sweden*, a system of press subsidies was established in 1971 (and updated several times since) in an attempt to prevent titles from closing down or losing their political independence. Subsidies included exemption from VAT,¹⁴² lower advertising tax than for the broadcast media, as well as selective direct subsidies to low-coverage newspapers. The budget of the fund was derived from a tax on advertising revenues, and granted subsidies to loss-making political newspapers. Importantly, it did not cover all their expenses: subsidies constituted 15 to 20 percent on average of the total revenues of these titles, while amounting to some three percent of the total operating revenues of the industry. The introduction of state subsidies put an end to the decline in the number of nationwide and regional dailies, and even caused a slight improvement: while in 1980 there were 93 titles, in 1996 there were 95. Importantly, the system of press subsidies managed to maintain diversity in local newspaper markets, with more than 20 communities having at least two titles to choose from. Circulation figures, however, did not change in this period (Humphreys, 1996: 106; Weymouth, 1996: 31; Gustafsson & Hultén, 1997: 214–217; Kaposi, 2000).

¹⁴² VAT was reintroduced in Sweden in 1996.

In sum, longitudinal intra-country comparisons show three major tendencies. Firstly, according to qualitative descriptions, *the newspaper/party affiliations loosened in all Western European countries where press funds were introduced*, typically around 1970. Secondly, the process of *ownership concentration and the decline in the number of nationwide and regional titles slowed down* after the introduction of state subsidies; the exception to this rule being Belgium, France, and the Netherlands. However, media policy analysts agree that in Belgium and France, the subsidies schemes were badly designed. Thirdly, *in the Western European countries with press subsidy systems, the decline of overall circulation figures, which had begun in the early 1960s, stopped*, as state subsidies allowed newspapers to modernize their news covering technology and layout. The exception to this trend is, once again, France. For the sake of comparison, in countries with no press subsidies such Germany and the United Kingdom, circulation figures dropped by 5.6 and 1.7 percentage points, respectively, between 1975 and 1990. The rise of circulation figures improved the newspapers' financial position, and hence their political independence.

Empirical evidence based on the longitudinal intra-country comparison of selected advanced democracies with press subsidies is consistent with hypothesis 1c, which held inadequate press regulation responsible for the failure of media freedom to consolidate. Institutionalized and politically neutral state support for the press in Western Europe succeeded in loosening newspaper/party ties and improving the financial independence of the various titles. It also put an end to, or slowed down, the concentration and oligopolization of the market, and hence improved the diversity of views available. It must be added that, in some countries, the press subsidy system did

not achieve its ends; but media policy analysts suggest that poor design explains the failure of the press subsidies schemes in these countries. It is fairly safe to conclude that the introduction of a well-designed press subsidies system in post-communist Hungary would have improved the political independence of the press, and hence the overall status of media freedom.

6.4. Summary

Hypothesis 1, based on the institutional approach, suggested that the consolidation of media freedom in Hungary was hindered by the underdevelopment of the institutions safeguarding the freedom of the broadcast media and the print press. Both cross-country comparisons and longitudinal intra-country comparisons confirm this hypothesis. The freedom of the broadcast media, and especially that of the public service broadcasters, could not gain ground because the 1996 Radio and Television Act was passed late and, once passed, proved unfit to serve its purpose. Countries with a promptly passed broadcasting act and better regulation scored significantly better in the Freedom House annual press freedom surveys. Also, the establishment of press subsidies in other countries decreased political and commercial pressure on the newspapers. By way of conclusion, one may argue that a quickly passed and properly designed broadcasting act, supplemented with a press fund, would have furthered the consolidation of media freedom in Hungary.

7. The behavioral dimension of the consolidation of media freedom

Those advocating the behavioral approach suggest that the consolidation of media freedom was hindered by the persistence of communist political culture in the post-communist countries. Hypothesis 2, based on this argument, can be measured, as mentioned, by a comparative analysis of the media policy declarations and the media policy measures of the communist and post-communist governments. The greater the similarity in the rhetoric and policies of the old and the new political elites, the more the hypothesis asserting the endurance of communist political culture is warranted. Rhetoric and practice will be discussed separately in chapters 7.1. and 7.2.

7.1. Media policy declarations

Any attempt to systematically analyze media policy declarations runs into the difficulty of how to gather data, as declarations regarding media policy are usually embedded into political speeches and programs embracing a variety of issues outside of the realm of the media, and are publicized on an irregular basis. The question of whose media policy declarations should be considered is also an issue, as some of the time it is hard to tell which politician or policy advisor shaped media policy.

The media policy declarations of the communist era are easier to analyze than those of the post-communist period, as they are better documented. They were also quite homogeneous in content, since dissenting media policy declarations, like other dissenting political views, could not be publicized at the time. Studies addressing the media policy

declarations of this period include those by Gábor Fodor and Tamás Szecskő (1973), Tamás Fritz (1988) and István Hegedűs ([1988] 2001). Of the declarations of the communist period, I will study those that were quoted in chapters 5.1.1.1., 5.1.2.1. and 5.1.3., which were, with a few exceptions, taken from the works of these authors.

The media policy documents of the post-communist era include political programs, political speeches and analyses published in a diversity of fora and issued by a variety of politicians and media policy makers. However, most of these included just fragmentary references, few have attempted to develop a coherent approach to the media. They were also heterogeneous in content depending on who issued them when. No systematic collection and analysis of the media policy declarations of this second period is currently available. For this era, I will study the passages quoted in chapters 5.1.3.1. and 5.2.1., supplemented with a few others, based on my readings in the period. In order to make my sample of quotations more representative, here I will discuss media policy declarations which were issued by party and government officials or advisors who held party offices shortly before and during their parties were leading forces of the subsequent government coalitions. For this reason, we can assume that they had a greater impact on media policy than the advisors or cadres of other parties. Some of the minor political parties have never made any media policy declarations.

The media policy declarations of *the communist governments* reveal the media's complete subordination to the communist party, then deemed the only legitimate representative of the people. These declarations were a mirror of Lenin's theory of the media as "a collective propagator and a collective agitator" and Stalin's concept of the journalist as "the architect of the soul" and "the party's soldier". Accordingly, the media

were considered a means of economic, political and cultural mobilization and indoctrination. I found no reference to the freedom of the media, unless specifically indicating that media freedom consisted in enhancing the interests of the system and the ‘people’ (e.g., “the freedom of the press [is] guaranteed in accordance with the interests of socialism and the people”, 1949). The role assigned to the media was to improve the communist party’s weak legitimacy by means of changing people’s perception of reality, and to communicate the party’s expectations to them (“the press and radio have ... to convince [people] of the pertinence of the party’s policies”, 1958). Some of the key words of the Hungarian media policy declarations of this period are “agitation and propaganda”, “organization”, and the “shaping and reforming” of public opinion.

From the 1980s onwards, some change could be detected in the message of media policy declarations. New ideas had emerged, including the presentation of “alternatives” by the media, and the “critical analysis” of ongoing events (“it is a key feature of our information policy [...] to write overtly about the difficulties”, 1985; “the party ... has a basic interest in the critical analysis of the various processes, as the press is becoming one of its major sources of information”, 1988).

The media policy declarations of *the post-communist governments* displayed diversity and embraced a variety of concepts. They can be divided in two groups. The first group includes the media policy declarations of the early Fidesz, SZDSZ, and MSZP, that is, the liberal and left-wing parties, as well as many of the parties that emerged with the political transformation but did not make it into parliament and disappeared from the mainstream political arena in the first few years of the democratic system. These declarations urged the abolition of censorship (“the public sphere must be

liberated from all kinds of censorship”, 1989), and an end to government intervention into the media (“we must make sure that ... public radio and television are not under the control of government”, 1994; “It is a conviction of Fidesz that all kinds of government intervention into the press must be abolished”, 1994; “the state must not intervene into the [media] market”, 2000/2001). Their key words were the “freedom of the media”, the “freedom of information” or the “freedom of expression”, as well as “plurality”, “impartiality” and “factuality”. They did not reveal any positive rhetorical reference to the ‘agitation and propaganda’ function of the press, and urged the separation of media and government (“all kinds of government intervention into the press must be abolished”, 1994; “the press [is] the parliament of the public that the parliament of the legislators has no right to interfere with”, 1994; “[the new government must] restore the freedom of the press and the media ... either by [active] measures or by self-restraint”, 2000/2001).

The idea underlying this first group of media policy declarations was that the media could and should be objective, rather than politically engaged. They reflect the impact of the Anglo-Saxon tradition of neutrally objective journalism, i.e., a tradition where the media act as a watchdog over office holders and as an agent independent of political parties. This model is generally considered to be ideal, since its fact-based reporting allows for the citizenry to be adequately informed about political matters (cf. Stevenson, 1994; Høyer & Epp, 1995; Sparks & Reading, 1998; Høyer, 2001; Kunczik, 2001; Gross, 2002). As mentioned, this model is exemplified by, among other things, the *New York Times* and the *BBC*. Occasionally, even explicit references have been made to this tradition. As Miklós Haraszti (SZDSZ) argued in an interview in 1994,

the victory of the ideal of objectivity in the Anglo-Saxon countries has been preceded by a long, bitter struggle ... this struggle is worth continuing [in Hungary too] because it will get the public used to the idea that the public service media need to be independent, and that information need to be disseminated in an objective, rather than partisan, manner, even if partisanship would mean the representation of all parties (Haraszti, 1994b: 6).

The second group includes the media policy declarations of MDF and Fidesz-MPP, i.e., the major conservative and right-wing parties. These declarations argued for government intervention into the media (“Why would the government not be entitled to have a media outlet of its own? ... It is a misunderstanding that the press should be free from everything” 1991; “the new government must play a more initiative and active part on the marketplace of ideas”, 1999). Some of them overtly expressed the government’s wish to have loyal media that would mobilize popular support in favor of their policies, without, however, making any explicit reference to the ‘agitation and propaganda’ function of the press (“the parties—especially the governing parties—[must] be represented in accordance with their real significance”, 1991). The key words of these declarations were the “quasi-monopoly of the communist ... set of values” that allegedly persisted in post-communist times, and “positive discrimination for right-wing values”. They justified political intervention into the media by appeal to an alleged ‘communist’ bias and lack of objectivity in the media, and called for political intervention as the only way to create the true freedom and diversity of opinions. Although they argued that the problem with the media was the presence of a left-wing bias and the lack of objectivity, they concluded that the remedy to this illness was the establishment of new media biased in favor of the right/conservative parties rather than the creation of completely objective media. The idea that the media could and should be a politically independent and unbiased watchdog of whoever is in power did not occur in these declarations.

Importantly, these declarations usually did not question the principle of media freedom and plurality, nor did they express any wish to control the whole of the media. Yet these declarations did not denounce the media's affiliation with the political parties as incompatible with the ideal of media freedom. (A notable exception were the media policy declarations issued by István Csurka, vice-president of the early MDF, later president of MIÉP, who openly questioned the media's freedom as an ideal to be realized—however, Csurka was increasingly marginalized throughout the decade, and was voted out of parliament in both 1994 and 2002.)

The media policy declarations in this second group show the impact of what is generally called the European tradition of advocacy, or cause promoting, or partisan journalism, one which had also existed in Hungary prior to the communist takeover in 1948. The media were considered loudspeakers for the various political parties and ideologies, and would only be critical of the political forces that advocated different policies (cf. Buzinkay, 1994; Høyer & Epp, 1995; Kunczik, 2001; Gross, 2002). Typical examples of this European tradition are the French newspaper *L'Humanité*, or the Italian broadcaster *RAI* at the time when its different channels were associated with different political parties. This European approach to media policy, as opposed to the Anglo-Saxon model, has in some cases been verbalized quite explicitly. As Annamaria Szalai, media policy maker of Fidesz, put it in an interview in 2002:

In Hungary, the concept and content of public service broadcasting had been modeled on the *BBC*. [This model of] public service broadcasting has proven to be a bad failure. ... It is therefore a warranted demand that two different public service channels operate. If public service broadcasting cannot be realized within one institution, than opportunities need to be

created in a parallel structure where the two channels may coexist peacefully. ... The concerns of both [political] camps should be granted space in the Hungarian media market (Szalai, 2002: 41–42).

The major characteristics of the Soviet, European and Anglo-Saxon models¹⁴³ of the press and media, as envisioned by Hungary’s communist and post-communist elite groups are summarized in table 5.

Table 5. The Soviet, European and Anglo-Saxon models of the press and media

	Soviet	European	Anglo-Saxon
<i>political affiliation</i>	one-party press	multi-party press	non-partisan press
<i>object of engagement</i>	‘communism’	one particular ideology for each media outlet	basic democratic values for all mainstream media
<i>plurality of views</i>	no plurality	external plurality	internal plurality
<i>relationship to government</i>	loyal	loyal or critical	critical
<i>primary function of the press</i>	mobilization	mobilization	information
<i>role of journalist</i>	‘the Party’s soldier’	engaged opinion leader	neutral chronicler
<i>dominant genre</i>	opinionated reporting	opinionated reporting	factual reporting

Table 5 offers a comparison of the Soviet, the European and the Anglo-Saxon models of the press and media. It shows that, despite some similarities between the Soviet and the European models, and in particular the engagement of the press and media in favor of some ideology, their (occasional) loyalty to the government, and their

¹⁴³ The distinction European vs. Anglo-Saxon tradition is a very general one: in recent decades, with the globalization of mass communication, the Western European press was increasingly succumbing to the Anglo-Saxon standards while, especially with the rise of the ‘new journalism’ movement in the 1970s, some of the British and American press was becoming more engaged and committed (for more on this, see Bajomi-Lázár, 2003c).

preoccupation with political mobilization and opinionated reporting, the European model envisioned by many post-communist media policy makers differs significantly from the Soviet and has a lot in common with the Anglo-Saxon model. Most significantly, the European model allows for the plurality of views and the criticism of the government. Unlike the Anglo-Saxon model, the European-type press and media may fall short of providing the citizenry with adequate information because of its refusal to report objectively on current affairs. Yet, unlike the Soviet model, it meets the two other key functions of the free media that were identified as such in chapter 3.1.: it allows for the press and media to work as a watchdog of government and a mediator between diverging group interests.

In sum, on the rhetorical level I found no support for communist media policy as a model to be pursued. The analysis of media policy declarations does not reveal any continuity between the communist and the post-communist political elites' approaches to media policy. It is the European model that many observers—in my opinion, mistakenly—described as the continuation or revival of the Soviet model.

It should be noted that in an early study comparing media transformation in several post-communist countries including Hungary, Slavko Splichal reached the conclusion that the media in the new democracies of East Central Europe were undergoing a process of 'Italianization'. He observed that, despite some differences between the Italian and the East Central European media systems, uniformities between the two prevailed (Splichal, 1994: 146–147). A few years later, Colin Sparks and Anna Reading came to a very similar conclusion regarding the similarities between the East

Central European and the (continental) Western European media, as opposed to the Anglo-Saxon model (Sparks & Reading, 1998: 177–179).

Although the comparative analysis of communist and post-communist media policy declarations does not confirm hypothesis 2, namely that the post-communist elites embraced the Soviet concept of the media, it does reveal that there was no consensus among post-communist Hungary's political elites regarding media policy and in particular the freedom of the media vis-à-vis the political elites. The major difference dividing them lies in how they envisioned the party affiliations of the press. To use Guy Lázár's terms: in place of the *one-party press* of the communist era, some post-communist media policy makers aimed to build a *multi-party press*, while others a *non-partisan press* (Lázár, 1992a). The existence of consensus on media freedom as 'the only game in town', however, has been identified earlier in this thesis as a major behavioral requirement whose lack may hinder the consolidation of media freedom.

To be sure, media policy declarations are not identical with media policy measures. Even those media policy makers who rhetorically acknowledge the freedom of the media may promote media policy measures that run counter to this ideal. For this reason, I will in the next chapter take a look at media policy measures in search of continuity revealing the persistence of the communist legacy in post-communist times.

7.2. Media policy measures

The media policy measures of the communist and the post-communist governments described in chapters 5.–5.2.3. display a number of similarities at a first sight. However, this might be misleading: the instruments of media policy are finite, regardless of how democratic or undemocratic a government is. In the two periods, media policy makers may have emphasized some methods while largely neglecting others, even though, by and large, they had recourse to the same media policy instruments. In order to assess whether there was any continuity in the media policies of the communist and the post-communist governments, I will discuss the major similarities and differences of the two periods, focusing on political intervention into the ownership of the media, the distribution of resources, the nomination of top media personnel, and media content. Some elements of the communist and post-communist media policies will be mentioned more than once as political interference with the media may have resulted from a combination of various media policy measures.

7.2.1. Political intervention into the ownership of the press and media

Political intervention into the ownership of the press and media is an evident violation of the freedom of the media, as it contradicts the principle that the media, as a watchdog of government, should be separated from political power. Yet it was a major means of media policy not only before but also after the political transformation. However, there were some significant differences between the two periods.

In the communist era, governments had a direct impact on which newspapers could be launched and which were to cease publication, and had regularly used this power to influence media content. The modification of the 1986 Press Law in early 1990 under the last communist government (whose members, including the future Prime Minister Péter Medgyessy, continued to play an important part in post-communist Hungary's political life) was a significant landmark in this respect, as it abolished the licensing of newspapers and hence the government's direct control over ownership. Thus the political elite gave away an important means of preliminary censorship. With this piece of regulation in place, anybody who wished to do so could found a new title regardless of its content. The issue of introducing a new licensing procedure has never been raised since; no post-communist government has been in the position—or had the intention—to control the print press in its entirety. The 1990 modification of the Press Act eliminated direct government influence on the newspaper market.

However, governments continued to exert an indirect influence on the ownership of the print press in the post-communist era. That influence manifested itself mainly in the establishment of loyal titles, while the closing down of critical newspapers was practically impossible. As the Press Law did not forbid state ownership of the press, establishing loyal newspapers was a wide-scale practice, especially under the first and second right/conservative governments, and resulted in such titles as *Új Magyarország*, *Napi Magyarország*, *(Reggeli) Pesti Hírlap*, and *Heti Válasz*. So was the buying out of existing titles, as happened to be the case with *Szabad Föld* and *Magyar Nemzet* under the second right/conservative government. Although an attempt was made in late 1998 to close down two critical newspapers published by the state-owned Postabank, namely the

tabloid *Kurír* and the political-cultural weekly *Magyar Narancs*, only the former ceased publication, while the latter continued to exist,¹⁴⁴ and even the former could have continued publication under a slightly modified title, had it possessed the financial resources.

Political intervention into the ownership of the broadcast media was a different matter. The regulation of broadcasting, as mentioned, was a more problematic issue than that of the print press, since until 1996 no such regulation was in place. The licensing of the broadcast media remained the privilege of the government of the day, and licensing did remain a powerful instrument of media policy that the first post-communist government was not reluctant to use: in late 1992, it established the satellite-based *Danube Television*, which was meant to carry its national conservative ideology.

The 1996 Radio and Television Act, passed with a 90 percent majority, changed the situation, and marked the readiness of the overwhelming majority of the parties to give away the present and the future governments' exclusive power to influence media content through licensing. With the establishment of the National Radio and Television Board, whose presidium gathered the nominees of all of the parliamentary parties in such a way that they could check over one another, licensing and hence intervention into the ownership structure of the Hungarian media was no longer under the complete control of the government of the day, albeit indirect influence through government nominees persisted. The Board quickly did away with the monopoly of the public service

¹⁴⁴ For some time, *Magyar Narancs* was published under the title *MaNcs* before it regained the right to use its original title.

broadcasters *Hungarian Radio*, *Hungarian Television* and *Danube Television*, and licensed several nationwide commercial radio stations and television channels.¹⁴⁵

In sum, in contrast with the communist governments, *the post-communist governments exerted a certain deal of self-imposed restraint and did not intervene as intensely into the ownership of the press and media as their predecessors had*. Such attempts, however, persisted to some extent, and the post-communist governments' practice certainly was not wholly compatible with the ideal of media freedom and the ensuing separation of the media and political power.

7.2.2. Political intervention into the nomination of top media personnel

Political intervention into the nomination of top editors also runs counter to the ideal of media freedom and the ensuing separation of the media and political power, yet it has been widely used as a technique to change media content, since editors have a decisive voice in determining the profile of their media outlets. In the communist era, the nomination of top media personnel on the basis of political considerations was an acknowledged policy instrument described as the 'responsibility of the editor-in-chief'. Editors had been appointed by the party and state leaders and went on report every now and then to the headquarters of the Information Office and the Agitation and Propaganda Department; political loyalty was more important than professional skills.

¹⁴⁵ Local radio stations and cable television channels had existed prior to the 1996 Radio and Television Act.

After the political transformation, the post-communist governments continued to apply this instrument for political intervention, especially with regard to the public service media. One of the key issues of the early media war was the removal of Hankiss and Gombár, Director Generals of *Hungarian Television* and *Hungarian Radio* in 1993, and the appointment of loyalists Csúcs and Nahlik as vice-presidents.¹⁴⁶ The government change of 1994 resulted in the dismissal of Csúcs and Nahlik, and the appointment of new Director Generals. Later, with the 1996 Radio and Television Act passed, the second right-wing government used its majority in parliament to establish incomplete Boards of Trustees in the three public service media in 1999 and 2000: the bodies consisted only of nominees from the coalition parties; representatives from opposition had no seats at all. The incomplete Boards appointed new Director Generals to manage the institutions; once again, they were loyalists of the government.¹⁴⁷ The rule of the second left/liberal coalition beginning in 2002 also saw the massive dismissal of radio and television journalists appointed under the previous government.

Furtermore, whenever the post-communist governments intervened into the newspaper market, they made sure that the editors-in-chief of the established or purchased newspapers were their loyalists. For example, as mentioned, András Bencsik, editor-in-chief of (*Reggeli*) *Pesti Hírlap* was an MP-elect for MDF, and István Elek, editor of *Heti Válasz* media policy advisor to Prime Minister Orbán. This practice,

¹⁴⁶ After their dismissal in 1994, both Csúcs and Nahlik pursued a political career with the right-wing-conservative parties.

¹⁴⁷ The Director General of *Hungarian Television* was a former representative of Fidesz-MPP in Budapest district 3's municipality. The Director General of *Hungarian Radio*, the regular interviewer of Prime Minister Orbán, was known for her reluctance to ask critical questions.

however, was more characteristic of the right/conservative than the left/liberal governments.

In sum, political intervention into the nomination of top media personnel was a wide-scale practice both before and after the political transformation. Three differences, however, need to be noted. Firstly, the nomination of loyal editors in the key positions had in the communist era been facilitated by the lack of press and broadcasting regulation, while *in the post-communist era governments had to comply with self-imposed laws when attempting to interfere with nominations*, which made such interference more difficult. Consequently, the removal of critical editors and the appointment of loyalists was a slow process that was frequently challenged by a part of the journalistic community and the opposition of the day. Secondly, under the communist regime, with the exception of the samizdat press, all media outlets were edited by party loyalists (which does not imply that all journalists were party loyalists), while *in the post-communist era, the government interfered with the top personnel of some of the broadcast media and the print press only*, having no power or will to interfere with all media outlets. Thirdly, before the political transformation, the close affiliation between the top editors and the party was an acknowledged practice which was also reflected in media policy declarations, while *after the political transformation the top editors appointed on an evidently political basis made, at least rhetorically, claims to independence*, and the political parties interfering with their nomination appealed to professional rather than political arguments.

7.2.3. Political intervention into the distribution of resources

The media have to rely on a variety of resources many of which are not available for everyone even in the most advanced democracies or most highly developed market economies. Some media resources, such as printing paper, are widely available most of the time; others, such as radio and television frequencies, are either scarce (as with terrestrial frequencies) or costly (as with satellite and cable broadcasting). Information is another key media resource that is not fully self-catered by the market. So is money: many media markets are too small to sustain a sufficient number of newspapers and media outlets. All of these resources are, however, necessary for the democratic ideal of freedom of expression to be realized, so the state has a positive obligation to cater for an equitable distribution of these resources. In all of the political systems that claim to be democratic, the state has to intervene into the media market by means of distributing some or all of these resources; some kind of intervention is therefore justified.¹⁴⁸ The question here is whether the distribution of these resources in post-communist Hungary was based on democratic principles, or the self-regarding interests of the government of the day. This chapter will summarize the distribution of media resources in communist and post-communist Hungary on the basis of the data gathered in chapters 5.1.1.3., 5.1.2.3., 5.1.3.3. and 5.2.3., and assess how the principles of distribution complied with the democratic standards of media freedom.

In the communist era, the distribution of resources was a central instrument of media policy. The communist governments used the allocation of printing paper as well as radio and television frequencies, or the denial thereof, to prioritize newspapers and

media outlets that voiced their perspective on current issues, and to eliminate those critical of their policies. No publication could access printing paper if not published by either party or state organs or official publishing houses; no radio station or television channel other than *Hungarian Radio* and *Hungarian Television* could use frequencies for broadcasting. Foreign broadcasters airing programs in Hungarian to the Hungarian public, such as *RFE* and *VOA*, were jammed.

The information that could be released or rebroadcast by the media was also under heavy control. MTI, then the only wireless agency in the country, had a monopoly over the distribution of information. No news could be covered in the media unless released by MTI. However, from about the 1970s onward, privileged party cadres and other functionaries could increasingly access other information, including news on such delicate issues as intra-party conflicts or the real status of the economy. Yet the circle of these people remained limited throughout the period. The samizdat press, especially in the 1980s, also released information that the regime tried to control but, as its circulation was limited, it reached few outside of Budapest's elite intelligentsia.

The money needed for the publication of newspapers and the operation of radio stations and television channels was also under the control of the party-state. Before 1979, publishers did not produce any newspapers to generate commercial revenues; with no market in place, all titles were dependent on state subsidies, which were allocated on the basis of political loyalty. Although the release of the first profit-oriented publications in 1979 slightly improved the financial independence of the big publishing houses and would have allowed, at least theoretically, for the cross-financing of their loss-making

¹⁴⁸ For more on the positive obligation of the state to facilitate access to these resources, see chapter 2.1.

political titles, they continued to be under the heavy control of the party-state and were unable or unwilling to use their economic resources freely. In broadcasting, no commercial enterprises could operate until 1986 when *Radio Danubius* was launched as a branch of *Hungarian Radio*. And even though *Hungarian Radio* and *Hungarian Television* aired an increasing number of commercial advertisements from the 1970s onward, their direct subordination to party control prevented them from using their resources as they chose: their financial assets were treated as part of the central budget. Economic independence is a precondition for political independence; the control of the financial resources was an efficient means of political censorship.

After the political transformation, a new situation emerged. With the liberalization of the market, printing paper, relatively inexpensive, was available for every one. Literally thousands of new titles were released. Broadcasting, however, was a different matter. Satellite broadcasting had not made it into the country as yet, and the cable system was underdeveloped compared with Western European and especially with American standards. After the 1989 frequency moratorium was declared, terrestrial radio and television frequencies were not distributed, except for a few local radio stations such as *Radio Bridge* and *Radio 11*. These two stations, which broadcast in Budapest, obtained their licenses under legally contestable circumstances, but because they were commercial stations, their licensing was most likely not motivated by self-regarding political interests. No new radio station or terrestrial television channel could be established legally until 1994 when the first local frequencies were allocated. However, some pirate radio stations, such as *Radio Forbidden* in Budapest and *Radio Subjective* in the city of Pécs, broadcast regularly between 1991 and 1993. The police made no significant attempt

to prevent them from broadcasting, nor did the Frequency Distribution Agency jam their programs, although both measures could have been taken with ease. At the same time, however, the Antall government profited from the fact that the frequency moratorium did not explicitly prohibit the establishment of satellite channels, and set up *Danube Television* in late 1992 in an attempt to have a television channel which would advocate its national conservative ideology. This created a precedent: even after the Radio and Television Act was passed in 1996, subsequent governments used frequency distribution as a means to prioritize loyalist broadcasters, or at least broadcasters that were not critical of their policies. Under the Horn government, the *ad hoc* coalition of the socialist and conservative members of the National Radio and Television Board denied a license to Írisz TV's *Tv3*, a branch of Central European Media Enterprises associated with the Free Democrats Association. Under the Orbán government, the Board did not renew the 1994 license of *Radio Forbidden*, but granted a local frequency to *Pannon Radio*, a station associated with MIÉP.¹⁴⁹ Under the Medgyessy government, the broadcasting council used its powers to rule that the license of *Pannon Radio* should belong to a group independent of MIÉP.

After 1989–90, access to information was facilitated by at least two factors. Firstly, with the liberalization of the market, alternative wireless agencies could be and were established; the services of foreign wireless agencies also became available to Hungarian journalists. Secondly, the globalization of mass communication, especially satellite broadcasting and the Internet reached Hungary in the first half of the 1990s. Control over political information could no longer be monopolized by the state. Some

¹⁴⁹ The station was co-owned by a foundation headed by István Csurka, Chairman of MIÉP.

attempts to control information persisted even after the political transformation. The Antall government restricted access to some information, such as the list of former war prisoners detained in the Soviet Union and the names of those whose land had been nationalized in the early 1950s and could expect financial compensation from the state, for newspapers and news programs that supported its policies in an attempt to improve their competitive position on the market.¹⁵⁰ Under the Orbán government, no minutes were taken of the ministers' meetings, and journalists of some of the critical newspapers, including *Magyar Hírlap* and *Magyar Narancs*, were denied access to Fidesz-MPP's party congress. On one occasion, József Torgyán, head of the second biggest coalition party prohibited journalists from asking him questions at a press conference. And all post-communist prime ministers had the questionable practice of only giving interviews to loyal reporters; this practice helped them to avoid questions that they did not wish to answer.

The liberation of the newspaper market and the privatization of newspapers in 1989–90 marked the ending of state subsidies for the print press. The great majority of nationwide and regional publications came to be owned and funded by multinational media enterprises. Yet the market proved too small to sustain all of the titles that tried to survive. The subsequent governments granted funding to loyal newspapers, or denied funding from critical ones. *Új Magyarország*, *Napi Magyarország*, *Magyar Nemzet*, *Kis Újság*, *Magyar Demokrata*, *Heti Válasz* as well as a number of smaller-scale publications received subsidies from the central budget under the two right/conservative governments,

¹⁵⁰ The selective distribution of information was an acknowledged practice. As Imre Kónya, fraction leader of the biggest coalition party MDF put it in August 1991, "recent experiences are a sufficient guide for us

either through direct subsidies or the commercial advertisements of state-owned companies. Under the Orbán government, *Kurír* and *Magyar Narancs* were denied funding. Under the two left/liberal governments, the state continued to play an important part in the funding of newspapers either through the state-owned publisher Postabank or the National Base Fund of Culture; it also removed *Magyar Nemzet's* supplement *Sportfogadás* in an attempt to undermine the oppositional daily's financial base. The (under)funding of broadcasters was also a widely-used instrument of media policy in post-communist Hungary in an attempt to influence media content. *Hungarian Television* was making significant losses throughout the period; the allocation of its state subsidies was first suspended by the Antall government in an effort to remove Elemér Hankiss from his position. *Hungarian Television's* financial position worsened further after nationwide commercial television channels started broadcasting, as its advertising revenues dropped significantly. In the years of the Orbán government, its losses were covered in exchange for a positive coverage of the coalition's policies. The Medgyessy government removed the public subscription fee system of the public broadcasters and decided to cover the institutions' costs from the state budget.¹⁵¹

In sum, intervention into the distribution of media resources on the basis of self-regarding political interests was a wide-spread practice both before and after the political transformation. Like the communist regime, the post-communist governments did not seek the equitable distribution of media resources. Two significant differences, however,

to know [which newspapers] should be granted information as a form of support, and which newspapers should not be informed." *Magyar Hírlap*, September 9, 1991.

¹⁵¹ The amount of the subscription fee had already been determined by the parliament's majority; the abolition of the fee, however, had a symbolic importance, as it indicated that the broadcasters' budget would be covered by political elites, not viewers; even the appearance of the financial independence of the public service media was done away with.

need to be mentioned. Firstly, *after 1989–90, no government was in the position to influence the whole of the media by the distribution of resources*, as with the liberalization of the market they lost control over most of these resources. Printing paper, information and financial resources became widely available outside the governments' reach. Secondly, *in the post-communist era, political intervention into the distribution of resources was frequently used as a means to promote the loyal coverage of the governments' policies, but only rarely and inefficiently to censor unwanted information.*

7.2.4. Political intervention into media content

In addition to political intervention into the ownership of the media, the nomination of top media personnel, and the distribution of media resources, there are some other means to influence media content that deserve to be mentioned. In particular, such methods may include the use of brute force, that is, intervention by the police, judicial pressure on journalists, or the destruction of printed press material. This chapter will take a look at how these means were used before and after the political transformation.

Before the political transformation, the publishers of the samizdat press frequently encountered harassment and even imprisonment by the police, and were denied employment in their profession as well as publication opportunities in the official press. The judiciary, of course, collaborated with the police in prosecuting the authors of the samizdat press. Furthermore, some issues of the various newspapers were destroyed before circulation. For example, the government destroyed copies of *História*, *Mozgó Világ*, and *Liget* in 1983, 1985, and 1986 respectively.

After the political transformation, the use of such means either became exceptional or disappeared entirely. However, especially under the Orbán government, there were some attempts to use the police to tame and frighten critical journalists. During this period, the police searched the newsrooms of two newspapers, *Világgazdaság* and *Kriminális*, and seized their computers. Attila Varga, a journalist with *Népszabadság*, was taken into custody after the publication of an article highly critical of an FKgP member of parliament. In some cases, the post-communist political elites also attempted

to use judicial pressure to tame the critical press, especially in the early 1990s. In 1991 and 1992, an avant-garde periodical called *Új Hölgyfutár* (New Ladies' Messenger) was tried for presenting Hungary's national symbols in an obscene context on its cover page; in 1992 the tabloid daily *Kurír*'s supplement "Elefánt", later the satirical biweekly *Hócipő* and the weekly economist *HVG* were sued by government officials for having ridiculed them. However, attempts to exert political pressure on the media by means of the judiciary have largely failed: in most cases the subsequent levels of court trials ended with the charges against the newspapers being dismissed; the judiciary was largely independent from the government. Further attempts to try newspapers for critical coverage ended after the Constitutional Court ruled in 1994 that public officials need to be more tolerant of criticism than private citizens. However, one noteworthy case that occurred in 2001 and was interpreted by many as a major threat to media freedom.¹⁵² The court held *Magyar Hírlap* responsible for quoting a critical remark on the government's policies. In an unprecedented manner, it ruled that the daily should have checked before publication if the quotation was factually correct. In the post-communist period, the destruction of newspapers after printing was no longer used as a means of political intervention into the media.

In sum, *such means of political intervention into the media as police action, judicial pressure and the destruction of printed press material, widely used before the political transformation, were either wholly missing or rather sporadic after 1989–90.* With the political transformation, some legal and institutional safeguards were passed to guarantee the independence of the police and the judiciary from the government; such

¹⁵² E.g., Mátyás Vince, vice-president of the Hungarian Journalists Association ("Szabad-e a magyar

safeguards, self-imposed by the post-communist parliaments, prevented the governments of the day from using these institutions when intervening with the media.

7.3. Summary

According to hypothesis 2, based on the behavioral argument, post-communist elites, socialized in the communist era, continued to pursue the Leninist theory and practice of media policy. Evidence based on the comparison of media policy declarations and media policy measures before and after the political transformation does not confirm this hypothesis. Even though there are a number of similarities between the two eras, the differences seem more significant. Most importantly, the comparative analysis of media policy declarations and media policy measures reveals a difference in the extent of political control over the media. Whereas the communist governments sought *complete control over the whole of the media*, the post-communist governments aimed at *partial control over some of the media*. Furthermore, while the communist governments attempted to *eliminate all critical voices* (although they became slightly more tolerant in the 1980s), the post-communist ones only tried to *marginalize critical media*. Last but not least, while the communist government used a variety of means, including *direct preliminary censorship*, the post-communist governments relied on fewer and *less direct tools in their attempt to influence media content*. These three distinctions confirm the argument made in chapter 7.1., namely that the post-communist political elites' media

sajtó?", 2000).

policy had more in common with the European than the Soviet model of the press and media.

Although the evidence is not consistent with the hypothesis that post-communist political elites pursued the Leninist theory and practice of media policy, this does not mean that their media policy complied with the ideal of media freedom. To be sure, the freedom of the media vis-à-vis the political elites was frequently challenged in post-communist Hungary. Some governments challenged it on both rhetorical and policy levels, others claimed to respect media freedom in their rhetoric yet pursued policies contradictory to this democratic ideal. In particular, the right/conservative governments' media policy declarations and measures marked more intense efforts to intervene into the freedom of the media than those of the left/liberal ones.

8. The attitudinal dimension of the consolidation of media freedom

Hypothesis 3, based on the attitudinal argument, asserted that public commitment to media freedom enhances the consolidation of that freedom, whereas public alienation hinders it. As mentioned above, this hypothesis can be tested in two ways. Firstly, by examining public resistance to occurrences of political intervention into media freedom, if any, and secondly, by analyzing empirical data on how the public perceived the importance of the freedom of the media, and how they viewed political intervention into the media. In chapters 8.1. and 8.2., these two indicators of the attitudinal dimension will be discussed separately.

8.1. Public reaction to political intervention into media freedom

Although most of the literature on the history of the Hungarian media in the second half of the 20th and the early 21st centuries focuses on political attempts to curtail media freedom, a closer look at how the public, including the journalistic community, reacted to such attempts reveals that there have been several attempts to establish and preserve the freedom of the media, both before and after the political transformation. As the events described in chapters 5.1.1.4., 5.1.2.4., 5.1.3.4., 5.2.4. show, the Hungarian public seemed quite responsive to issues of media freedom. Here I will briefly discuss some of these events.

The 1956 Revolution started with the liberation of *Hungarian Radio* and the establishment of the free press. From the 1970s onward, a variety of samizdat periodicals and books were published despite repressive measures against those engaged in such activities. In the second half of the 1980s, progressive journalists of the official media ‘liberated themselves’ from political control and became critics of the state socialist regime. Empirical surveys suggest that their efforts were valued by the general public: in 1988–89, the social prestige of the media was as high as 65 to 70 points on a 1–100 scale, higher than that of political institutions (Závecz, 1999: 87–89).¹⁵³ In 1989–90, the first proposals to reform media policy by separating the media from political power were

¹⁵³ Data collected through longitudinal representative surveys based on a sample of 1,000, conducted by the Hungarian Public Opinion Research Institute (1988–1990) and Szonda Ipsos (1991–1999). Later during the 1990s, however, the prestige of the media dropped significantly, although it continued to be higher than that of the political institutions.

promoted by independent intellectuals gathered in the Openness Club, as well as the members of the Hungarian Journalists Association.

One of the symbolic landmarks of the political transformation was a massive demonstration on March 15, 1989 on Liberty Square, requesting the liberation of *Hungarian Television* from political censorship and calling for its control by the ‘people’. Throughout the 1990s and early 2000s, protest against political intervention into the media became a recurring feature of post-communist Hungary. A number of street demonstrations were held especially outside the buildings of *Hungarian Television* and *Hungarian Radio*. The most important demonstrations included the following: October 23, 1991; August 14, August 22, September 19, 1992; October 30, November 2, 1993; March 10, July 8, 1994, March 15, 2000; August 12, August 29, August 30, 2002. The participants of the various events protested against the media policy of different political parties, depending on who was in office.

Throughout the 1990s and early 2000s, a number of non-governmental organizations were created and active in response to political interference with the media. Examples of such organizations include the above-mentioned Openness Club, as well as the Free Expression Movement, the Press Freedom Club, the Readers’ Letters Writers Club, the Civilians for Press Freedom, the Civil Forum, the Hungarian Press Freedom Center, and the Monitor Group. Democratic Charta, a major movement gathering a variety of civil organizations in the early 1990s, also protested against political interference with the media.

The journalistic community also protested in a variety of fora. The Hungarian Journalists Association issued a number of declarations in protest against various

occurrences of political intervention into the freedom of the media (February 6, 1992, September 1998, November 2000, January 2001). International journalists' organizations, including the European Broadcasting Union, the Committee to Protect Journalists, the International Journalists Associations and the International Press Institute, also criticized the subsequent Hungarian governments' media policy—and were most probably advised to do so by Hungarian media researchers and journalists. In addition to this, innumerable opinion editorials and caricatures were published in the print press criticizing political intervention into the media, as well as accounts on how such media freedom watch organizations as Freedom House or the International Freedom of Expression eXchange Clearing House evaluated the status of media freedom in Hungary.

Just how many people participated in the above-mentioned street demonstrations is, of course, hard to judge, since there is no exact data available on the appeal of most of these events. Public support for journalistic associations and media freedom NGOs is also difficult to assess. Yet there is no doubt that the various forms of protest involved masses of people, especially in the capital city: some of the demonstrations are estimated to have attracted as many as 30,000 people (Downing, 1996: 163). Perhaps even more importantly, the frequency of public outcry throughout the period was a sign that media freedom was a salient issue on the public agenda and a concern for many.

8.2. Public responsiveness to issues of media freedom

Empirical data on how dearly the public evaluated the freedom of the media in post-communist Hungary is fragmentary, since there were no longitudinal representative opinion surveys using the same methods and questions in the studied period. However, an overview of the available data may give a fairly comprehensive picture of how the public responded to issues of media freedom.

In 1991, a representative opinion survey was made on the prestige of the various institutions. One of the questions queried about how much importance the respondents attributed to various political institutions, including the press (Lázár, 1992b: 575–603). Their responses are summarized in table 6; their answers regarding the press are marked in bold.

Table 6. “How important are the following institutions?”

Institutions	Importance
Courts	89
Police	89
Government	88
President of the Republic	88
The press	88
Constitutional court	82
Parliament	82
Military	81
Local municipalities	81
Churches	68
Labor unions	59
Political parties	54

100 points = very important; 0 points = not important

Source: Lázár (1992b)

Table 6 reveals that the press was considered one of the most important institutions; on a 100-point scale it was granted 88 points. For the sake of comparison: this rating was as high as, for example, those of the government and of the President of the Republic. It was higher than that of parliament, and significantly higher than that of the political parties.

In the early 1990s, the majority of the general public seemed reluctant to accept the idea that the media should be controlled by the government. According to an international survey published jointly by Eurobarometer, Gallup, and Modus in 1992, 68 percent of the Hungarians were of the opinion that the media should be little controlled or not controlled at all by the government. However, the majority was aware that this condition was not met: in the same period, that is, under the Antall government, two-thirds agreed or strongly agreed with the view that the incumbent government jeopardized the freedom of the media (Vásárhelyi, 1995).

For the middle period of the 1990s, there are some longitudinal data available on public interest in issues related to the freedom of the media (Vásárhelyi, 1998c: 311–312). The responses of those in a sample representing Hungary’s adult population and indicating interest in such issues are summarized in table 7 below.

Table 7. “How interested are you in issues of press freedom?” (percentage)

	1992	1998
Very interested	12	5
Interested	39	31
Little interested	25	41
Not interested at all	24	23
<i>Total</i>	<i>100</i>	<i>100</i>

Source: Vásárhelyi (1998c)

Table 7 reveals that the overwhelming majority of the general public—that is, 76 to 77 percent—had some interest in issues relating to the freedom of the media. At the same time, however, the table also reveals that, in just six years, the ratio of those having a great interest in these issues decreased to some extent, while the ratio of those with little interest increased slightly.

Opinion pollers also asked respondents on how they evaluated the actual status of media freedom in 1992 and 1998. Their answers are displayed in table 8.

Table 8. “The press in today’s Hungary is...” (percentage)

	1992	1998
Completely free	35	40
Partly free	52	46
Not free at all	2	3
Does not know	11	11
<i>Total</i>	<i>100</i>	<i>100</i>

Source: Vásárhelyi (1998c)

Table 8 shows that a significant part of people had a sense of the ongoing events of the media war, and held a marked opinion about it. In 1992, more than half of the interviewees (54 %) held the view that the freedom of the media was not complete; in 1998, slightly less than half of them (49 %). At the same time, only 11 percent did not have any opinion on the issue.

In 1998, those in a sample representing the entire adult population were asked to say whether they liked, were indifferent to, or disliked a variety of social values, phenomenon, and social groups, including the freedom of the press (Marián & Szabó,

1999: 114–128). Table 9 displays their responses; their answers regarding press freedom are highlighted in bold.

Table 9. “Do you like, are you indifferent to, or do you dislike the following?”(percentage)

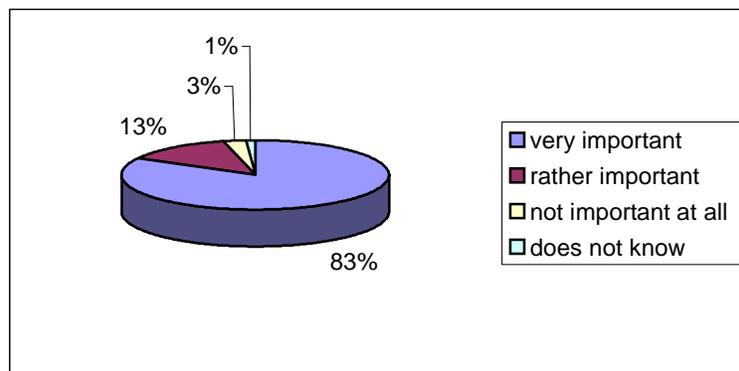
	Likes	Does not know	Does not like
Environmental protection	67	28	5
Press freedom	54	41	5
The European Union	47	45	8
Elections	42	51	7
NATO	39	46	15
The market economy	38	52	10
Religion	36	54	10
Political transformation	31	46	23
Germans	22	65	13
Socialism	20	55	25
Americans	19	62	19
Liberalism	19	67	14
Politics	16	55	29
Poles	14	72	14
Privatization	13	47	40
The left-wing	13	61	26
Demonstration	11	40	49
Power	11	46	43
Strike	10	41	49
Capitalism	10	57	33
The right-wing	10	68	22
Jews	9	74	17
Communism	7	42	51
Conservatism	7	60	33
Nationalism	6	53	41
Russians	5	64	31
Slovaks	4	70	26
Gypsies	3	37	61
Romans	3	55	42
Arabs	2	45	53

Source: Marián & Szabó (1999)

Table 9 reveals that, in a comparative perspective, press freedom as such was one of the most dearly held values of the general public. It was rated second on the list comprising 30 different items. More than half of the respondents liked the idea of press freedom, and only 5 percent disliked it. At the same time, however, 41 percent could not answer the question.

The data on people's rather positive relationship to the freedom of the media are further confirmed by a representative opinion poll conducted in the summer of 2001. This survey, which was conducted by sociologist Dávid Bajomi-Lázár and myself, was ordered and funded by the Hungarian Press Freedom Center, an NGO supported by the Open Society Institute of Budapest, and based on a representative sample of 1,000 (Bajomi-Lázár & Bajomi-Lázár, 2001). The first question we asked the interviewees to answer was how much importance they attributed to the freedom of expression in general; their answers are summarized in figure 1.

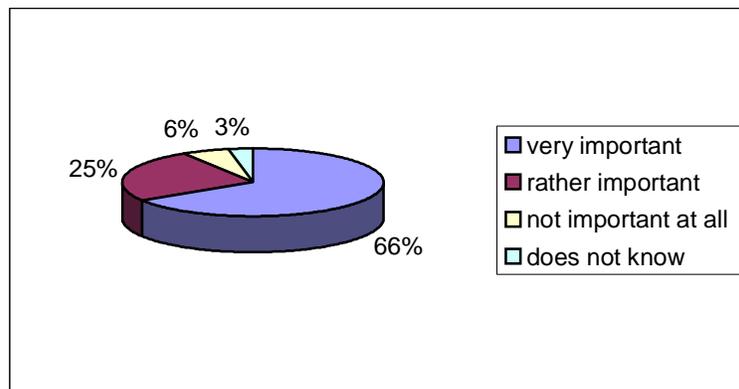
Figure 1. "How important do you think it is that everyone be free to impart their opinion?" (percentage)



Source: Hungarian Press Freedom Center (2001)

The data in figure 1 confirm those in table 6 above and referring to the general public’s attitudes a decade earlier: our data also reveal that the overwhelming majority of the Hungarians granted a great deal of importance to the freedom of expression: 83 percent said it was “very important” and a further 13 percent said it was “important”. Our next question aimed to reveal how much importance the Hungarians attributed to the freedom of the media vis-à-vis the political elites. The distribution of their answers is shown in figure 2.

Figure 2. “How important do you think it is that the politicians do not intervene into media content?”(percentage)

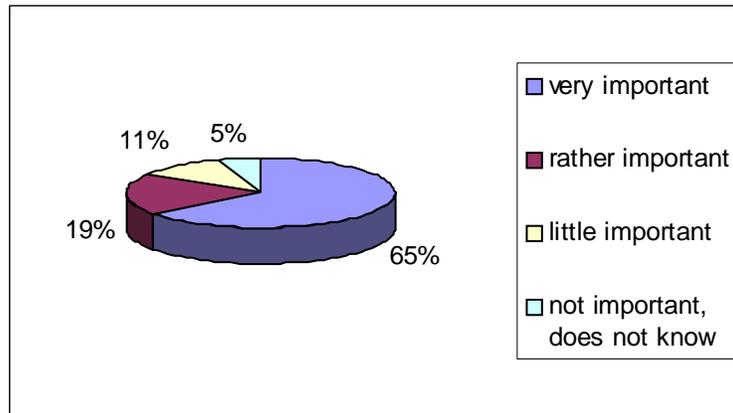


Source: Hungarian Press Freedom Center (2001)

Figure 2 shows that the overwhelming majority supported the freedom of the media vis-à-vis the political elites and rejected the idea of political intervention: 66 percent said it was “very important” and an additional 25 percent said it was “important” that politicians respect the media’s freedom. These data confirm the above-quoted 1992 joint report of Eurobarometer, Gallup, and Modus, which suggested that 66 percent of the general public rejected the idea of governmental intervention into the media.

We further interrogated people on their views on media freedom. The next question we asked was how important the freedom of the media was for democracy. Their answers are shown in figure 3.

Figure 3. “How important is the freedom of the media for a democratic system to work?”¹⁵⁴ (percentage)

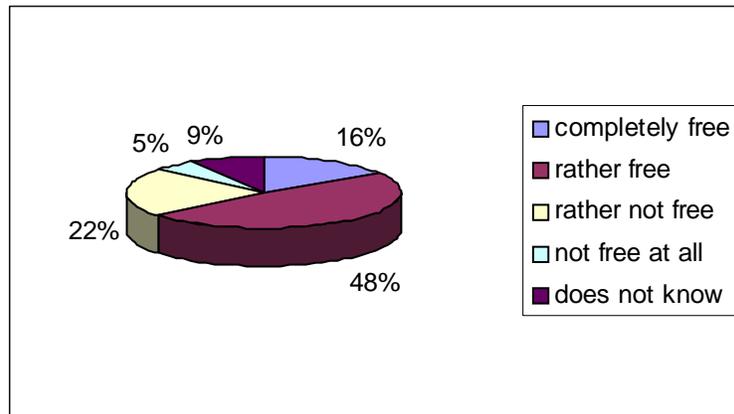


Source: Hungarian Press Freedom Center (2001)

Figure 3 shows that the freedom of the media was perceived to be a central element of democracy. Sixty-five percent said it was “very important”, 19 percent said it was “important”, and 11 percent said it was “little important”. The ratio of those answering “very important” was above the average (79 %) among those holding a university or college degree. Those who did not consider the freedom of the media a precondition for democracy totaled only five percent.

Finally, we asked them about how they evaluated the actual status of media freedom in Hungary. The distribution of their responses is shown in figure 4.

Figure 4. “How free are the media in contemporary Hungary?”(percentage)



Source: Hungarian Press Freedom Center (2001)

Figure 4 shows that only 16 percent considered the media “completely free” and 48 percent “free”. Twenty-two percent thought the media were “not free” and an additional five percent said they were “not free at all”. Compared with the data in table 8 above, this figure shows that the ratio of those considering the media ‘completely free’ had diminished significantly under the rule of the Orbán government (40 percent in 1998 and 16 percent in 2001). Only nine percent did not have an opinion on the issue (compared with 11 percent in 1998), which indicates that the public continued to be concerned about issues related to the freedom of the media.

In sum, empirical data from the 1990s and early 2000s show that the majority of Hungary’s citizenry felt concerned about issues related to the freedom of the media; they also show that the freedom of the media was one of the most dearly held values in post-communist Hungary. One can safely conclude that the freedom of the media was a consensual value shared by the overwhelming majority of Hungary’s general public. The

¹⁵⁴ The interviewees were asked to grade the importance of media freedom with numbers 1–5, 1 meaning

data also suggest that people were aware that the ideal of media freedom was not met in the studied period.

8.3. Summary

Hypothesis 3 suggested that one of the factors hindering the consolidation of media freedom in post-communist Hungary was that media freedom did not have the consensual support of the citizenry as a democratic ideal; public alienation enabled the political elites to interfere with the media at their will. Neither the study of the history of public reaction to political intervention into the freedom of the media, nor empirical data on how the public evaluated media freedom confirm this hypothesis. Public outcry in reaction to undemocratic media policies was frequent and took diverse forms. *The overwhelming majority of the general public was devoted to the ideal of media freedom, including the principle of political non-intervention into the media.* This latter fact is all the more interesting as the opinion polls cited in chapter 4.3. indicated that several other values of the democratic capitalist system did not have the uncontested support of the citizenry, and many welcomed the idea of state intervention into such areas as the market for example. At the same time, however, *the fact that many disapproved of the political elites' intervention into the freedom of the media did not have any visible impact on the political elites' undemocratic media policies* which persisted throughout the 1990s and early 2000s. The hypothesized relationship between the public's support for media freedom, or

“not important at all” and 5 “very important”.

the lack of it, and the consolidation of media freedom seems to be non-existent. The available empirical data do not confirm the attitudinal argument.

9. Conclusions

The demise of the communist system in Hungary in 1989–1990 abolished formal censorship, but the freedom of the media has not fully consolidated in the following 13 years, as the post-communist elites made repeated efforts to influence media content. However, as measured by the Freedom House annual press freedom surveys, in the 1990s and early 2000s the intensity of political pressure on the media fluctuated, yet diminished gradually (30 points in 1994 → 28 points in 1998 → 30 points in 2000 → 23 points in 2002). Whereas in the early 1990s the status of the Hungarian media was rated in the upper 20s, i.e., close to the division line between a ‘free’ and a ‘partly free’ press as defined by Freedom House, by the beginning of the next decade it went down to the mid-20s. By then, the Hungarian media were qualified as unquestionably ‘free’. It reached the scores of some advanced Western democracies, such as France and Italy, although lagged far behind the standards of other advanced democracies, such as the Scandinavian countries and the United States.

Following the path set by theorists of democratic consolidation, as well as theories in the media transformation literature aiming to explain the persistence of political pressure on the media in post-communist Hungary and some other East Central European countries, I looked at the institutional, behavioral and attitudinal dimensions of the consolidation of media freedom. My intention was to explain the puzzle of why political pressure on the media has persisted after the formal abolition of censorship, i.e.,

to find out which requirements of the consolidation of media freedom were lacking in post-communist Hungary. My underlying objective was to identify those factors which hindered the consolidation of that freedom in Hungary and, by extension, in other post-communist countries whose media transformation displayed largely identical problems.

My most important finding was that, as hypothesis 1 suggested, the underdevelopment of the institutional system was a primary factor responsible for the persistence of political pressure on the media. The institutions guaranteeing the political and financial independence of the broadcast media and the print press were either established too late, or were badly designed, or were not established at all in post-communist Hungary. In particular, the passing and ratification of the Radio and Television Act was delayed until as late as 1996, and the structures it established to safeguard the editorial independence and financial autonomy of the public service media were inadequate. Cross-country comparisons suggest that the late passage of the Radio and Television Act and its imperfect design were among the major reasons why the status of media freedom was significantly worse in Hungary than in other post-communist EU-candidate countries. Furthermore, there was no press subsidies scheme to improve the financial independence of the daily press and to loosen formal and informal newspaper/party ties. Some of the major institutional requirements of the consolidation of media freedom were clearly lacking in the 1990s and early 2000s.

I also looked at whether the persistence of communist political culture among the new political elites could be detected in the media policy declarations and measures of the post-communist era. However, I found no empirical evidence confirming the persistence of this behavioral legacy, as asserted in hypothesis 2. At the same time, my

analysis of media policy declarations and measures revealed that there was no consensus among the political elites on the freedom of the media vis-à-vis the political elites as a base democratic value. While some post-communist media policy makers argued for the complete independence of the various media outlets vis-à-vis the political elites, as, for example, most media policy makers in the contemporary Anglo-Saxon countries do, others considered the close affiliation of newspapers and broadcasters to the various political parties a natural and desirable phenomenon—in much the same way as, for example, the contemporary French and Italian political elites do. The behavioral requirements of the consolidation of media freedom were not met to the full; although this dimension of the consolidation of media freedom seemed less problematic than the institutional one.

I also tested the argument whether the lack of responsiveness on the part of the citizenry facilitated political intervention into the media, that is, whether the attitudinal requirements of the consolidation of media freedom were met or not. However, I found no sign of the alienation of the general public as asserted in hypothesis 3. Indeed, opinion surveys and the frequency of public outcry in reaction to political attempts to curtail media freedom showed that the great majority of the Hungarians were committed to the idea of media freedom and decisively rejected political intervention into the media. Their commitment to media freedom, however, did not seem to promote the consolidation of media freedom or to hinder undemocratic media policies.

My findings suggest that the most important factor enhancing the consolidation of media freedom in post-communist societies is a timely and well-designed reform of the institutional system. At the same time, the post-re-institutionalization decline in the status

of press freedom in some countries (as indicated by the Freedom House longitudinal quantitative press freedom surveys) suggests that, while the fast and well-designed democratic re-institutionalization of the media may be a *necessary condition* for media freedom to rise and to endure, it may not be a *sufficient condition*: additional variables may also have an impact on the status of media freedom. Some other possible variables with a potential impact upon the consolidation of media freedom and in addition to the behavioral requirements discussed in this thesis may include the status of journalism education, the means and efficacy of journalistic self-regulation, the prestige of the journalistic community among the general public, the status of the advertising industry, the purchasing power of the population, and so on.¹⁵⁵ The correlation between these variables and the status of media freedom should be subject to further research.

Based on the evidence collected in this thesis, however, it is safe to argue that the adopting the best regulatory solutions applied in those advanced Western democracies which scored well in the Freedom House annual press freedom surveys would, with great probability, have eliminated political interference with the media and enhanced the consolidation of media freedom in post-communist Hungary and, by extension, in other East Central European countries with a similar historical legacy. In the appendix of this thesis, I will put forward some media policy proposals that aim to improve media freedom in Hungary and other post-communist countries with similar problems.

¹⁵⁵ Consider that in most post-communist countries there was no journalism education at all before the political transformation. Most media outlets still have no codes of ethics, and both the advertising industry and the purchasing power of the population are weak as a result of the generally poor economic performance of these countries compared with the advanced Western democracies.

Appendix: Media policy proposals

The media policy proposals gathered in this appendix aim to eliminate behavior patterns that are incompatible with the freedom of the media by adapting some of the ‘best practice’ of media policy in various advanced democracies. They focus on the institutional requirements for the consolidation of media freedom and aim to ensure the autonomy of the media vis-à-vis the political elites.

1. State ownership of the press and media

A major means of political intervention into the freedom of the media in post-communist Hungary was the establishment or purchasing of newspapers by state-owned banks and other state-owned companies. Consequently, the governments of the day had a decisive impact on who would edit these newspapers and what content they would release. This practice has created unequal opportunities in the newspaper market and lead to unjustifiable positive discrimination for certain views in the “market place of ideas”. Furthermore, direct political influence on press content is incompatible with the ideal of media freedom and the ensuing separation of media and political power. Moreover, no reason justifies state ownership in the press since, given the wide availability of printing paper, private owners should be able to cater for a diversity of views, provided that the state, indirectly, corrects market failures (for more on this, see chapter 3. of appendix).

For these reasons, state ownership in the press should be altogether prohibited by law. No company whose majority owner is the state should be entitled to publish newspapers.¹⁵⁶ Official releases such as *Magyar Közlöny*, the periodical announcing new laws, should of course be an exception to this rule.

Whereas state ownership in the print press is both harmful and unwarranted, and should for this reason be dismissed, state ownership in the broadcast media—that is, ownership of the public service broadcasters—should be maintained. Because of the scarcity of frequencies (which still is, and will for some time be, a fact in Hungary where the introduction of cable and digital broadcasting nationwide will be a slow process), the state has a positive obligation to maintain the diversity of views in the broadcast media by means of an internally plural programming on the public service radio stations and television channels. Private owners alone may not provide for the plurality of views in the broadcast media without some kind of state intervention. At the same time, the necessary institutional guarantees of the freedom of the public service media vis-à-vis the political elites need to be created (for more on this, see chapter 4. of appendix).

2. Transparency of the print press

The various political parties have also had a marked influence on the newspaper market through a variety of publications released by foundations that were close to them. Such practice carries the risk that the public is uninformed about who stands behind these

¹⁵⁶ A similar proposition has been formulated by the media policy makers of SZDSZ (Kozák, 2000/2001:

newspapers. This is, however, an important piece of information that is necessary for any proper reading of what the newspapers in question print. The transparency of the press is also an issue if the press claims to function as a watchdog that makes political power holders transparent: it should abide by the standards that it requires others to observe.

For this reason, all newspapers should be obliged by law to uncover the names of their major shareholders in each of their issues. The introduction of this piece of legislation could be modeled on a similar practice established in Austria (Trappel, 1997: 2) and Italy (Sartori, 1996: 140).

3. Financing of the print press

A major tool of political intervention into the print press in post-communist Hungary was the subsidizing of newspapers on the basis of political loyalty. The governments of the day in search of positive coverage granted resources to newspapers that were ready to cover them favorably. Many of the newspapers of the time were unable to generate enough revenues from sales and advertising because of the small scale of the audiences and the overall weakness of the post-communist economy. In order to survive, they had to ally with the governments and the various political parties in search of financial support, which, however, jeopardized their editorial autonomy and obstructed the critical coverage of the political groups that indirectly subsidized them. The press cannot be politically free if it is economically dependent on political elites.

489–494).

For this reason, a press fund should be established in order to grant revenues to loss-making political newspapers that represent socially relevant views, which should be measured in terms of a certain circulation threshold. The subsidies provided by this press fund should be granted on a politically neutral basis, regardless of the actual content of the subsidized newspapers. The budget of the press fund could be generated from the taxation of television advertising.

Although resistance to the (re-)establishment of a press fund is widespread in Hungary because memories of the state subsidies of the communist era persist, similar propositions have been put forward by both the left/liberal authors of the “Proposal for the Reform of the Press” in 1988 and by right/conservative media policy maker Béla Pokol in 1998 (cf. Kaposi, 2000: 14–15). For the description of press funds in selected Western European countries that the Hungarian press subsidies scheme could be modeled on, see chapter 6.3. of this thesis.

4. Improving public service media

The Hungarian public service television channels have been particularly prone to political intervention because of their funding problems. So long as they depend financially on a parliamentary majority, they cannot be politically independent. The reform of the public service media must begin with the reform of its financing.

In early 2003, there were three channels of public service television, including *MTVI* (terrestrial), *MTV2* (satellite) and *Danube Television* (satellite). All three channels

were broadcasting traditional public service programs, while at the same time seeking advertisements. The result of this internal competition was high costs, low audience rates and low levels of advertising revenues. If, however, there were only two channels that divided responsibilities, things would change. Firstly, costs could be reduced: the operation costs of the third channel (whichever it was) would disappear. Secondly, one of the remaining channels could specialize in traditional public service programs (news and current affairs coverage, classical culture and ‘quality programming’, documentaries, children’s and minority programming), while the other could focus on commercial broadcasting (feature films, quiz shows, popular music, and so on). Such a division of labor would clarify their profiles and help them reach their target audiences. The channel that specialized in traditional public service broadcasting could also carry the current duties of the channel that would disappear: it would gain airtime by not transmitting commercial programs. Thirdly, this change would increase the financial independence of the public service media: since the first channel would no longer be forced to broadcast advertisements, it could be cross-financed from the revenues of the second.

Such a far-reaching reform of the public service media would involve changes in the current distribution of frequencies: the remaining two channels should be available both terrestrially, so that the whole domestic public could access them, and via satellite, so that the Hungarian national minorities living in neighboring countries could watch them. The decrease in administrative and operation costs, and the increase in revenues might cover the expenses that the use of new frequencies would involve.

In addition to commercial revenues, some other resources are needed for public service broadcasters. The current system of covering operation costs from the central

budget fails to guarantee their editorial independence. The former system, used between 1951 and 2002, obliging all households, rich and poor, to pay the same license fee regardless of their income, should be re-established in a modified form. The amount of the fee should be progressive according to family income, meeting the principle of equal burdens. This change would also improve the legitimacy of public service broadcasting: people would not pay for it as a commodity that they ‘purchase’, but rather would support it as a service that they do not necessarily use but is a prerequisite for the public good, much like public hospitals, roads and the railway system. Importantly, the amount of the license fee should not be determined by Parliament, but automatically increased by the yearly inflation rate. A somewhat similar practice was introduced in the United Kingdom, where the amount of the license fee is automatically adjusted to the inflation rate.

The supervisory system should also be reconsidered. By virtue of the 1996 Radio and Television Act, the boards of trustees of public service media combined corporate and parliamentary representation, with the political nominees having more powers and longer office terms than the ordinary members delegated by NGOs. This problem could be resolved by providing ordinary members with powers and office terms that equal those of the political nominees. The German and Austrian models of broadcasting councils are good examples of this practice (see chapter 6.2.).

Because *Hungarian Radio* has not produced substantial financial losses in the past 13 years, its structure may not need to be as radically transformed as that of *Hungarian Television*. At the same time, the composition of the board of trustees should be remodeled in the same way in order to lessen the political nominees’ control over the appointment of the Director General of the institution.

5. Final remarks

A precondition for the realization of the media policy proposals described above, or any other media policy proposals aiming to fundamentally transform the current media landscape, is that Hungary's political elites should be willing to consider them, even though they aim to improve the freedom of the media vis-à-vis the very same political elites. Given the long history of the media war and the subsequent governments' incessant efforts to control the media, this expectation may prove utopian. However, the history of post-communist Hungary's media has also given important examples of the political elites' willingness to self-impose restraints with regard to their media policies based on political intervention. In particular, the frequency moratorium in 1989, the declaration of media freedom in the 1989 modification of the Constitution, the 1990 modification of the Press Act, and the 1996 Radio and Television Act are examples that such self-restraint is possible. They may be a sign that in the future similar efforts may occur and succeed.

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