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INSTITUTIONAL CHANGE AND CONTINUITY IN POST-COMMUNIST EAST CENTRAL EUROPE: WHY ARE THE NEWS MEDIA STILL DEPENDENT?

by

ANDREW K. MILTON

A DISSERTATION

Presented to the Department of Political Science
and the Graduate School of the University of Oregon
in partial fulfillment of the requirements
for the degree of
Doctor of Philosophy

June 1998

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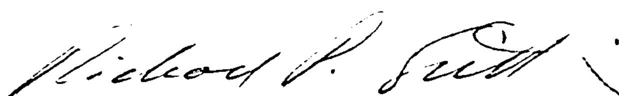

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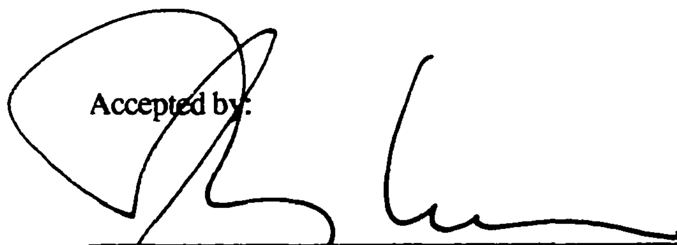

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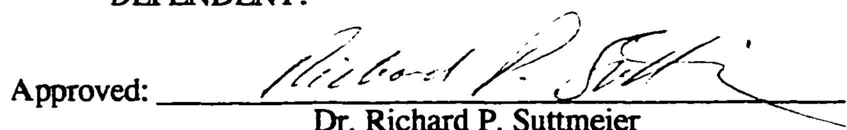
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The news media of post-communist East Central Europe have been the target of persistent efforts to control, influence, or manipulate their journalistic output. Despite rhetorical commitments to a "free press" by politicians across the political spectrum, political actors, both in and out of government, have routinely exploited the institutional relationships that still connect the media to other official actors and organizations. These relationships of media dependence have been maintained, rather than dismantled, because they serve the political/electoral interests of the actors supposedly responsible for undoing them. In short, the post-communist political reformers have found useful institutional tools in the dependent media, so the rules and roles that generate this dependence have been difficult to alter.

The findings in the case studies of Hungary, Poland, Slovakia, and the Czech Republic support the assertion that self-interested political actors prefer to sustain existing relationships of institutional dependence, *and* to create new ones, when possible. In each of the cases, the print media remained connected to political parties, and subject to their

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influence. The broadcast media, on the other hand, were bound to the state by the preservation of its national monopoly on electronic media outlets. Under these conditions, governments, irrespective of political orientation, have consistently complained about how the media covered them, while the oppositions typically accused governments of media manipulation and control.

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CHAPTER I

INTRODUCTION

> Raw political power...will be the decisive factor in determining how much freedom the media have. (Freedom Forum report on East Central Europe, 1990)

The process of media reform in post-communist East Central Europe has been a function of the struggle for power. Emergent political parties have competed not only for votes, but for authority over political institutions and the processes of their democratic reconstruction, with electoral victors claiming prerogatives over reform. The contemporary efforts to transform the former propaganda machinery of the communist party-state into "free," "independent," and/or "public service" media have been rife with a whole new range of political conflicts and controversies that one would have hardly imagined, given the airy pronouncements about the importance of the free press made by the new democratic politicians.

Solidarity activist and former Polish President Lech Walesa, for instance, once extolled the virtues of the free media, saying, "I would not be a president without a free press." Czech playwright, former dissident, and now President Vaclav Havel has said, "Freedom of the press is a prerequisite for democracy." Gyula Horn, leader of the former Hungarian communist party, renamed as the Socialist party, and Prime Minister since 1994, has said, upon taking office, that he expected and encouraged criticism in the media.

At the same time, however, Walesa, as President, took it upon himself to unilaterally dismiss, for apparently political reasons, the chief of national broadcasting, even though he

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had no explicit authority to do so. Horn's government has unilaterally attempted reform in violation of Horn's own party's commitment to a six-party consensus on the creation of new media law. Even Havel, the most revered of the dissident/politicians, has made vague pronouncements about media responsibility that could be read as dangerously reminiscent of exhortations to self-censorship. And, of course, such contradictions between rhetoric and action are not limited to these three individuals. In fact, such "political" behavior seems to be the rule, rather than the exception.

In the politics of media reform the redefinition of the state's control over electronic media, the clarification of the rights *and* responsibilities of both print and electronic media, access to the mass media, etc., have all been subject to contention. These conflicts are probably best summarized by the controversy over the reconstruction of the party-state media into "public service" media that are to provide the politically important information necessary for democracy to function. The primary problem, from which was generated the recurring and almost insoluble nature of this conflict, resides in the interpretable nature of a concept such as "public service." Governments tend to see public service as broad media support of the government and judicious use of criticism, while oppositions tend to see public service as general media skepticism toward the government and the granting of increased media access to opposition politicians.

This conflict over defining the goals and parameters of reform is irresolvable inasmuch as the political actors making the decisions about what constitutes "public service" media are the same actors that will then play the "political game" whose rules they are constructing, and of which the public service media are a part. In other words, the new democratic political actors are not only fixing the bicycle while they ride, but they have both the opportunity and the incentive to fix it to ride toward the destination they prefer. The *incentive* comes from the desire to achieve political and electoral success, and the

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opportunity derives from the organizational resources available through the institutional connection of the media to the state and the political party running it. Despite rhetorical blandishments about free or public service media political self-interest and commitments to abstract public interest often stand in conflict (though this is also somewhat dependent on who wins control of the definition of public interest.)

Another source of the conflict lies in the unavailability of a widely accepted operational definition of "public interest," and the consequent inability to establish indicators for monitoring performance of public service media. Typical indicators of economic success are widely dismissed by actors of all political coloration, and there is no other "rationally" based measure by which to assess public service. As s a result, defining the role and scope of public service media becomes a function of "politics"–the struggle for influence over political ideas and the public perception of them. Notions of public service become bound up with each political actor's view of what is good and bad for the country. The process of media reform then becomes a politicized struggle for the power to establish the definition of national as well as public interest, and, along with these, the power to describe how the media would best serve these interests. It should be no surprise, then, that actors' claims about the media vary over time, and that more popular political parties often achieve greater influence over the definition of the role and status of the public service media, and thereby seek more control over the reform process itself.

The Importance of the News Media

This study focuses on the news media because they are a critical element of both functioning democracy and the transition to it. In societies undergoing rapid change, as those in East Central Europe are, governmental stability and effectiveness are weakened as

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new social and political conflicts arise during the process of change.[1] In such circumstances, capable and free news media are necessary to adequately inform the citizens of the democratizing society exactly what social and political changes are involved in the establishment of democratic society. For instance, thorough explanation of the short-run economic consequences that accompan(ied) the post-communist transition plays a particularly important role in the nurturing of political and economic liberalism. The relationship between politics and economics is important enough to be discussed even in introductory comparative politics texts.

> As these (post-communist Eastern European) societies move towards market economies, unemployment and prices will escalate, at least in the short and medium term. Populations with expectations of instant affluence for all will discover how costly is the transition to a market economy....These countries may prove vulnerable to simplistic nationalist appeals from populist leaders offering instant solutions.[2]

In other words, flagging economic performance may undermine the citizenry's commitment to political reform when many realize, in the immediate post-transition period, that a low-paying job under the state socialist system was better than an unattainable high-paying job in the market democratic system. In this initial phase democracy (and the on-going democratic reform) is most vulnerable. The political institutions have not sunk durable democratic roots, which in turn may cause citizens as well as politicians to have only a facile commitment to the necessity for compromise, an inadequate sense of the legitimacy of democratic institutions, and a lack of trust in the democratic process' ability to effectively

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1. Robert Putnam, *The Comparative Study of Political Elites*, (Englewood Cliffs, NJ: Prentice Hall, 1976), 124. Putnam makes this point in general terms, and not specifically to East Central Europe.

2. Rod Hague, Martin Harrop, Shaun Breslin, *Political Science: A Comparative Introduction*, (New York, St. Martin's Press, 1992), 123-124.

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solve problems. Each of these outcomes makes the establishment of democracy less likely.[3] The news media are in something of a double bind as a result of these circumstances. On the one hand, political actors often want media to provide upbeat and positive reportage about the new democratic system (and about themselves, the actors running that system); on the other hand, the media also have the crucial responsibility of "checking" or "questioning" political actors in order to explain to the newly democratizing citizens (and politicians) exactly what is "realistic" in the initial transition to market democracy.

The importance of free and capable news media is even clearer with respect to the basic on-going performance of democracy. Communications generally are the "web of human society."[4] And in societies that are becoming increasingly complex the information requirements for sustaining democratic participation and activity are growing inordinately. In fact, the role of information is critical to each of Dahl's three requirements for democracy--that citizens can formulate, express, and expect response to their preferences.[5] He further asserts that the access to alternative sources of information is an essential element in the citizenry's ability to fulfill these three requirements. The news media are particularly important in providing this alternative information because they are specifically charged with doing so.

The news media are also important in sustaining democracy because they help establish society-wide expectations and boundaries of what is and is not political. This grants

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3. Robert Dahl, *Polyarchy*, (New Haven, CT: Yale University Press, 1971), 124-189; 203.

4. Lucian W. Pye, "Introduction," in *Communications and Political Development*, Lucian W. Pye (ed.), (Princeton, NJ: Princeton University Press, 1963), 4.

5. Dahl, *Polyarchy*, 3.

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politicians and citizens the ability to know where to focus the society's political energy. Pye puts it more grandiloquently when he writes, "The communications process (in modern society, most importantly represented by the news media) provides a basis for limiting and making explicit the legitimate scope of political causality so that leaders and citizens can all be compelled to accept the same sense of the plausible."[6] The news media, in other words, are a tool to help identify political problems and develop solutions to them. In the initial phases of the transition to democracy the news media have the crucial role of explaining what is politically and economically plausible and realistic, and in the maintenance of democracy they have the responsibility of establishing the boundaries of the democratic society's legitimately contestable politics.[7]

The immediate transition project in East Central Europe, however, involved the process of building democracy out of a formerly authoritarian political system. This project includes the reconstitution of existing authoritarian institutions into democratic ones. As Seibert, et al[8], indicate, the model of the press in the state socialist system (what they identified as the "Soviet Model") is one in which the press is a handmaiden of the state. The news media were both "owned" and controlled by the party-state, serving specifically as a political tool of the state and the party that ran it.

Part of the current democratization imperative, then, involves the transformation of existing institutions from their sustaining of authoritarianism to their sustaining of

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6. Pye, "Introduction," 7

7. The latter process is, of course, highly imperfect and subject to much contestation itself. One need only consider Bill Clinton and sexual politics in the United States to see widely divergent opinion about what ought to be included and excluded from the domain of media exposure.

8. Fred Seibert, et al,*Four Theories of the Press: The authoritarian, libertarian, social responsibility, and Soviet Communist concepts of what the press should be and do* (Urbana, IL: University of Illinois Press, 1956).

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democracy. Much as the maintenance of democracy is different from the creation of democracy,[9] transforming an already existing institution (like the news media) from a government controlled institution to a politically autonomous institution differs from the process of creating wholly new institutions (free elections, an independently elected president) where no authoritarian precursor existed.

Why Institutions Matter

From rational choice perspectives on one side to sociological institutionalism on the other, scholars agree that institutions affect politics and political outcomes. In this study I conceptualize institutions rather broadly, as the rules, roles, cultures, etc. that give meaning and "order" to the political relationships that actors maintain. Whether formally or informally, institutions set boundaries (of both constraint and opportunity) on political action. The processes and prospects of changing these institutional boundaries are the focus of my analysis about the post-communist reform of the media.

Issues of institutional change are also reflected in the academic debates in comparative politics, where one of the primary substantive questions revolves around whether democratic transitions can overcome the Leninist legacies of state socialism. I offer here a brief outline of the central features of this debate.

The "transitions" scholars assert that new and legitimate democratic institutions will be able to overcome the stultifying political legacies of the state socialist system, thereby making democratization an inexorable force. The "Leninist legacies" scholars, predominantly East Central European area specialists, assert that the social, political, and economic legacies of state socialism will stifle any real democratization. Neither approach

9. Dankwart Rustow, "Transitions to Democracy: Toward a dynamic model," *Comparative Politics* 2 (April 1970), 337-364.

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specifically addresses the news media, though the transitions scholars would surely assert the importance of establishing rules that constrain competing actors to accept democratic media performance, while the legacies approach would point to the entrenchment of ideologically driven media.

To the extent that the conceptual debate revolves around the prospect that new institutions can overcome the Leninist legacy, however, both sides miss several important points, which I only mention here, and discuss more fully in subsequent chapters. The primary shortcoming of the transitions approach is insufficient attention to the "rational" and self-interested strategic behaviors of political actors. While the transitions scholars admit that actors (the democratic opposition, and usually the authoritarian regime) will bargain over a new democratic procedure, they, surprisingly, include little analysis of actors' preferences. Rather, they emphasize the fact that by a process of bargaining a set of democratic procedures is agreed upon and cannot be rescinded. While they assert the inability of actors to violate this democratic agreement, the transitions scholars (sometimes called "transitologists") seem to admit little room for the fact that actors will still maintain strategies for achieving the outcomes they prefer. This includes strategic consideration of how the democratic institutions will affect the likelihood of their future political success. In other words, the transitologists deal insufficiently with the fact that different democratic procedures will have different utilities for actors, derived from the different outcomes they will generate. The strategies we might expect actors to use in order to secure a preferable set of procedures, including the strategies of political manipulation which do not specifically or overtly contravene the democratic agreement, are not addressed in the transitions approach. This is particularly true when it comes to assessing the reconstruction of existing state institutions, like the news media, rather than the construction of wholly new institutions, like elections.

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The Leninist legacy scholars, on the other hand, correctly focus on the resilience of institutions. Their approach, in effect, makes an argument similar to that proffered in the current study--existing institutions are a different political issue and problem for the process of democratization. Their emphasis on the Leninist content supposedly embedded in institutions, however, misses critical aspects of the processes of (attempted) political and institutional reform. It is the nature of institutions and their "behaviors" in politics, not their Leninist elements, that are constraining and channelling the democratization process. The organizational resources available from existing institutional relationships grant to political actors the opportunities to pursue their own political goals, sometimes in conflict with even "procedural democracy." In critical ways, however, these existing institutional relationships are legacies not of Leninism, but of national politics dating back a hundred years or more.

Reconstructing Existing Institutions

This study seeks to address the issues ignored or neglected by both the transitologists and the Leninist legacy approach. I will examine, then, the strategic bargaining, or sometimes lack thereof, over existing institutions. As is specifically the case with the news media, many of these institutions must, in fact, be transformed from state institutions to institutions with a significantly greater independent status, if they are to perform their requisite democratic functions. But it is precisely these institutions, which require extensive reconstruction in order to become "democratic," that receive the least substantive attention in the process of bargaining over the democratic procedures. As I will try to demonstrate in chapter three, the transitologists have identified the ways in which the creation of new, specific, and "discrete" (events that stand alone, like elections) institutions can overcome authoritarian legacies. They do not illuminate, however, the prospects for changes in existing institutions and their "continuous" (or, in this case, less systematic) *relationships* to

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other institutions. As for the Leninist legacy approach, it is the nature of institutional or organizational behavior, not the Leninist content, that makes the prospect for reconstituting existing institutions different and more problematic than the creation of new institutions.

The basic argument put forward here is that democratically reconstituting existing institutions in the process of political transition (distinguished from revolution, in which existing "orders" and relationships are destroyed) is more difficult than creating wholly new democratic institutions. This is primarily so because of the politics of the transitional interregnum[10]--the vaguely "stateless" period between agreement on the principles defining democratic procedures and the first execution of those procedures. During this period, the institutions in need of reconstitution receive a sort of political triage, enough alteration and adjustment to keep them surviving instead of the comprehensive and definitive reconstitution they need. The most egregious aspects of the institution's socialist principles are simply overturned, the only political mandate for institutional change being the reversal or removal of the disagreeably state socialist aspects of the institution. With such a vague political mandate both the staff of the given institution and the sets of relationships maintained vis-a-vis other institutions will only change at the margin, specifically, with respect to the activities and relationships now deemed unacceptable because of their association with the former state socialism. Those political behaviors and institutional relationships that are *not* specifically identified as inappropriate are more likely to continue unchanged (or much less changed), because, as organizational theory tells us, in the absence of a specific mandate for change, organizational behavior tends to be consistent and somewhat self-sustaining.

To put the issue more succinctly, in the absence of specific legal (legislative, constitutional, or judicial) reconstitution of existing institutions, changes to these institutions

10. I borrow the term from Yossi Shain and Juan Linz, *Between States: Interim governments and democratic transitions* (Cambridge, England: New York: Cambridge University Press, 1995).

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will be ad hoc, derived both from the general political desire to move clearly away from the state socialist system, and also from the political choices, preferences and manipulations of political actors during the slow process of change. These two sources of change, the undoing of the state socialist principle and the preferences of new political actors, are not mutually exclusive. In the absence of specifically delineated legally binding reconstitution of the existing institutions actors are somewhat unconstrained from employing or exploiting institutions in new ways, so long as their plans do not contravene the political imperative of being anti-socialist.

Overview

The basic argument put forth here is that actual reform (in the direction of greater independence, freedom, etc.) of the news media is less likely than the persistence of dependence. Political actors' own interests, the willingness to settle for the appearance of actual reform, the utility of the institutional relationships of media dependence are all factors that can contribute to the thwarting of reform (freeing) of the media.

I begin this argument with a brief review--chapter II--of the intellectual lineage of the debate about processes of democratization, from the "political development" approach to the current debate about transitions and legacies. Chapter III will offer an extended critique of both the contemporary arguments (especially the transitions claims), as well as my reconceptualization of "existing institutions" and their difference from new institutions. Chapter IV illuminates the historical background of the media in the case study countries (see below). Specifically, I will elaborate various political and institutional legacies that predate the Leninist period in order to claim that some of the political behaviors toward and about the media today are rooted in something deeper than Leninism.

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Chapters V, VI, and VII are devoted to the empirical analysis of the process of the reform efforts in Czechoslovakia (and after 1993, Czech Republic and Slovakia), Hungary, and Poland. Each of these countries exhibits wide variation on important features that are often deemed to influence the prospects for democratic transition and reform. At the same time each is significantly advanced to sustain efforts toward media reform. In contrast to Bulgaria, Romania, and Albania, where political control was somewhat more crudely seized by crypto-authoritarian actors, in the countries under consideration here conditions of genuine "polyarchy" appear to thrive.

Czechoslovakia had a very fast transition, rather than the slow, brokered transitions of Hungary and Poland. The brokered transitions yielded deals between the party and the opposition, deals which explicitly left certain state socialist institutions intact. In the Czech Republic and Slovakia (Czechoslovakia, at the time), no such deals were made, thereby leaving much wider political possibilities for institutional reconstruction than in Hungary and Poland. Further, the Czech Republic has a comparatively high standard of living, active civil society networks, and after 1993 it was freed of the economic and political difficulties inherent in reconciling the problematic relationship with Slovakia.

I include Hungary specifically as a counterpoint to the Czech Republic on the issue of their respective "transition modalities." Hungary's slow transition is the one element that separates it from the Czech Republic. On all the other important elements the two are fairly similar: Both are relatively developed, both have fairly active civil societies, and both have a history of interaction with the West.

Slovakia, on the other hand, maintains a similarity to the Czech Republic on all counts except for the level of development and civil society activity. Long-thwarted Slovak nationalism is also a potent political force, much more potent than in the Czech Republic.

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Nationalism is clearly relevant to the case of Poland, as well. Poland is included in the study as a country that initiated the first transition. Poland is also important for the level of civil society development that persisted throughout the 1980s. The Solidarity trade union and the Catholic Church were both highly organized and politically active. Poland experienced a moderate level of economic development during the state socialist years.

In sum, the empirical cases include countries that had slow, brokered transitions (Hungary and Poland) as well as rapid party disintegrations (Czechoslovakia); countries that are well-developed (Czech Republic and Hungary), moderately developed (Poland), and comparatively less developed, at least initially (Slovakia). In the last years of the Soviet system, all the countries had fairly strong civil societies, though in Czechoslovakia there was little toleration for it. Hungary and Poland had no serious experience with democracy. For the actors in the Czech Republic there are remembrances of the First Republic in the early part of this century. Slovaks, on the other hand, feel a legacy of frustrated national hopes. Each of these countries differs, then, from the others in one or more important ways. The variation in these circumstances will, in the end, serve as a "control" that diminishes the efficacy of explanations that compete with that offered here--specifically, that organizational resources deriving from existing institutional relationships grant to political actors the opportunity of exploitation or manipulation for the pursuit of their own political goals. In this way, the imperatives of democratization are sometimes less potent than the political aspirations of dominant actors.

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CHAPTER II

TRANSITIONS TO DEMOCRACY: PURPOSIVE ACTION OR STRUCTURAL DETERMINATION

The central focus of the current study is the examination of the political processes affecting and the prospects of achieving institutional (news media) reform in post-communist East Central Europe. The processes of democratization occurring there have generated a variety of academic analyses, all of which are the most recent efforts in a long history of the study of political change and development. This chapter will review the dominant contemporary scholarly approaches--the "transitions" school and the "Leninist legacy" school--to the study of political change and democratization.

Starting with the emphasis on political development in the 1950s and continuing through the present debate about "democratization," comparative politics scholars have focused a great deal of intellectual energy on the processes of political change. One consistent source of both methodological and substantive debate over the last 50 years centers on the different political impacts of macro-social structures and individual actors. This is reflected in the current debate about democratic transitions, in which the transitions scholars emphasize the power of democratic actors to build or "craft" new democratic

1. Adam Przeworski, *Democracy and the market : political and economic reforms in Eastern Europe and Latin America* (Cambridge: New York: Cambridge University Press, 1991). While Przeworski does assert that East Central Europe will end up looking more like Southern Europe (weakly developed and somewhat unstable) than

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institutions[1] and the Leninist legacy scholars use logic grounded in the structural effects of Leninism.[2]

After elaborating the logics and claims of the arguments that animate the current debate, I will argue that the process of reforming already existing political institutions differs from the process of creating new institutions, primarily because existing institutions differ from new institutions in their impact on politics and actors' pursuit of self-interest. Further, these existing institutions generate their effects less as a result of their specific (in this case, Leninist) "content," than through the more general organizational structures they sustain. These structures create and maintain norms, procedures, and institutional relationships that set stable, predictable, durable boundaries on political behavior. These relationships are difficult to significantly alter in the environment of the political transition, especially when institutional/organizational change is not undertaken. In brief, the political actors who bargain over the creation of the new democratic political system bargain differently over changing of existing institutions, and expect different things from these institutions, than they do when considering the creation of new institutions. The political possibilities for institutional change are, therefore, different from the possibilities for the creation of new institutions.

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economic and political transformations. As for the requirements of democratic transition he clearly asserts that actors can construct new democratic institutions, the outcomes of which political actors will be compelled to respect. Adam Przeworski, et al, *Sustainable Democracy* (Cambridge: New York: Cambridge University Press, 1995). See also, Phillipe Schmitter and T. L. Karl, "Transitologists and Consolidologists," *Slavic Review* 53 (Spring 1994) 173-185.

2. The central work in this area is Kenneth Jowitt, *New World Disorder: The Leninist Extinction* (Berkeley: University of California Press, 1992).

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Democratization, the Intellectual Background

Following World War II scholars in comparative politics began to focus significant academic energy on the study of democratization. The immediate post-war period witnessed extensive work in the political development tradition,[3] characterized by a focus on the correlation of structural indicators, like the level of economic development and the literacy rate, with democracy. The structural elements embodied in this tradition came under criticism in the late 1960s when the predictions of the so-called development model failed.[4] As an alternative, scholars began to offer an individual level analysis of political actors' choices during the political transition to democracy.[5] The actions of significant and relevant political actors, assert the transitions theorists, affect, if not determine, the prospects for a transition to democracy. The so-called Third Wave of democratization has

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3. Daniel Lerner, *The Passing of Traditional Society: Modernizing the Middle East* (New York: Free Press, 1958) is one of the first scholars to observe a change in social and material outcomes following on the advent of "modern" political procedures--namely, elections, in which competing political parties made promises of material benefits. Walt W. Rostow, *The Stages of Economic Growth*, (New York: Cambridge University Press, 1960) makes one of the first connections between modern political systems (democratic) and economic development (by market mechanisms). For a comprehensive review of the development literature, and the critiques of the same, see Ruth Lane, *The Art of Comparative Politics* (Needham Heights, MA: Allyn & Bacon, 1997), especially chapter three.

4. The political development approach suffered several critiques. The first was that the model of development borrowed from West European experience was not even appropriately described. Charles Tilly, (ed.), *The Formation of National States in Western Europe* (Princeton: Princeton University Press, 1975) contends for instance that states developed from the efforts of lords trying to organize their domains for more efficient military activity. Like the contemporary "transitions" scholarship, Tilly can be read as explaining how actors construct, albeit unintentionally, an institutional structure that we would identify as a "state." For a critique of the development paradigm also see Samuel Huntington, "The Change to Change: Modernization, development, and politics," Comparative Politics 3 (April 1971), 283-322.

5. See Dankwart Rustow, "Transitions to Democracy: Toward a dynamic model," *Comparative Politics* 2 (April 1970), 337-364, for one of the early treatments of the transitions approach.

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inspired much of the debate over these questions. Most recently, scholars of democratization have tried to determine the factors that influence not only the prospects for transition to democracy, but also the character of the transition process and the impact this has on the democratic system ultimately consolidated. A basic question arises over whether differences in the kind or character of authoritarian system the transition starts from has an affect on the transition, the prospects for success, and the features of the democratic system ultimately created in a given state. To the extent that such differences do matter, another question arises over what can be done to overcome such different and perhaps special legacies.

One aspect of the debate between the transitions and legacies approaches revolves around whether the East Central European cases are comparable to the experience with democratization in Southern Europe and Latin America. While the Leninist legacy school[6] tends toward completely isolating East Central Europe (and the former Soviet Union, for that matter) from the larger body of cases, the transitions approach almost insists on clear comparability. In the current study I shall try to find some firmer ground between these two extremes.[7] In short, I accept that the legacies of the Leninism have had a profound,

6. Kenneth Jowitt generated the initial conceptualization of the "legacy" argument in, among other things, "Weber, Trotsky, and Holmes on the Study of Leninist Regimes," *Journal of International Affairs* 45 (Summer 1991), 31-50. Representative of the general assertion that "post-state socialism" differs from other kinds of authoritarianism is Valerie Bunce, "Should Transitologists be Grounded?" *Slavic Review* 54 (Spring 1995), 111-127. For a concise summary of the "legacies" asserted to persist in the former state socialist systems see Stephen Hanson, "The Leninist Legacy and Institutional Change," *Comparative Political Studies* 28 (July 1995), 306-314.

7. Though the democratic transitions of Southeast Europe, Latin America, and Asia are not covered here, the conceptual argument laid out in this study could be easily assessed against these other cases. My argument that existing organizational relationships grant opportunities to advantage-seeking political actors transcends ideological (and probably political cultural) boundaries. Following the claims made here, in these other regions we should expect to see the new "democratic" actors deploy existing institutions to their political benefit. This should hold in any cases of dependent news media, but may also broadly apply to other organizational structures as well.

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though not unique, influence on the configuration of constraints and opportunities that confront the new (rational) democratic actors. The reformist political actors will have to craft some of the new democratic institutions by reconstructing the old state socialist institutions. Before elaborating this claim more fully, I start with a brief review of the study of democratization.

Political Development

Immediately following WWII efforts to understand democratization involved the identification of certain social indicators of democracy. The levels of economic development or the differentiation of political functions--distinguishing preference articulation from the legislation--were specified as indications of whether a political system was democratic. While these early efforts did elucidate the important society-wide elements of functioning democracy, as an effort to understand the *process* of democratization the political development approach is less helpful. Though scholars from the political development tradition sought an explanation of the creation of democracy, what they ultimately offered was an inventory of the indicators that reflected the level of "democracy" of a given political system. To call this work a development model is to misname it, for that label implies some sort of process of change, which the model specifically does not supply.

The basic thrust of the political development approach lies in explaining the (re)creation of certain structural conditions that are thought to result in democracy. A high per capita GNP, the existence of a middle class, the growth of civil society, or a political history in which the nascent bourgeoisie successfully resisted the monarch's attempt to subjugate them, to name a few, are all structural conditions thought to correlate with democracy. With perhaps the exception of the latter, however, the identification of these structural

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indicators of democracy were not accompanied by satisfactory causal explanations of the process of democratization.

The political development tradition did identify important social factors, including the necessity of free media, that are necessary to sustain democracy. The role of information is critical, for instance, to each of Dahl's three requirements for democracy--that citizens can formulate, express, and expect response to their preferences.[8] One installment in the "Studies in Political Development" series even addresses the role of communication and media in modern society. Objective, non-biased, non-partisan communicators and journalists correlate with modernization and development. In that volume, Pye also points out that communications generally are the "web of human society."[9] And in societies that are becoming increasingly complex (i.e., are developing) the information requirements for sustaining democratic participation and activity are growing inordinately.

The political development scholarship has generated our understanding of the conditions conducive to democracy. As for creating democracy, however, the implicit logic of the development approach indicates that the creation of these conditions will yield democracy. The political development approach does not, however, provide adequate causal explanation of how societies move toward the level of these indicators that, in fact, merely correlate with democracy. This inability to explain causes of change derives primarily from the fact that society-wide structures and functions are not political agents capable of acting, of generating the will to change. How will these structural conditions be created? What force or agent will generate these conditions of democracy? Ultimately,

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8. Robert A. Dahl, *Polyarchy; participation and opposition* (New Haven: Yale University Press, 1971), 3.

9. Lucian W. Pye, "Introduction," in *Communications and Political Development*, Lucian W. Pye (ed.), (Princeton, NJ: Princeton University Press, 1963), 3.

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scholarship undertook a methodological reorientation, back toward the roles and actions of individuals, to address the shortcomings of the political development tradition. Specifically, the development model's lack of an agent of change was addressed by refocusing on the roles, capacities, and preferences of political actors (individuals and groups) that *do* have the ability to take action. This refocused scholarly energy was the origination of what I here call the transitions approach.

Democratization, Choices in the Transitions Process

In articles in two of the early issues of the journal *Comparative Politics*, Dankwart Rustow and Samuel Huntington articulated the intellectual response to what they claimed was the inadequacy of the political development paradigm. In "The Change to Change"[10] Huntington contends that causes and consequences of change generally, not the politically charged notion of "development," should be the focus of the comparative project. In the seminal article "Transitions to Democracy: Toward a Dynamic Model"[11] Rustow lays out an argument explaining the processes by which competing actors negotiate to establish new democratic procedures.

The early goal of the transitions approach was to understand the process by which political systems actually moved from authoritarianism to democracy. The transitions scholarship specifically sought to overcome the indeterminate nature of the sources of change identified in the earlier political development approach. Accordingly, the focus was narrower and shorter, primarily on the role and capacity of political actors in the given system. The work of the transitions scholars emphasizes individuals and groups (actors

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10. Huntington, "The Change to Change," 1971.

11. Idem, fn 4.

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with agency) and the choices they make in the process of bargaining to build democratic politics and polities.

The basic transitions approach response to the static development models is to claim that democracy can be established by choice, and in relatively short order, by the active intervention of political actors. These "process" theorists each make a point of removing the normative content (e.g., modernism preferable to traditionalism) from their interpretation of democracy. Rather, they say, democracy is the commitment of all relevant political forces to the institutionalization of permanent procedures of temporary but on-going conflict resolution. Democracy and the path to it are choices, undertaken by political actors, to accept diversity and conflict in the polity and to find widely accepted ways for institutions to resolve, at least in the short-run, these conflicts. Democracy, then, is defined as the set, any set, of procedures chosen by the political actors as the mechanism for resolving political conflicts, and it accepts no prior expectations regarding social content.

While *Transitions from Authoritarian Rule: Comparative Perspectives*[12] is often cited as the foundation of the transitions literature it yields little theoretical insight into transitions and amounts to little more than extensive descriptive accounts of numerous transitions. While their summary volume, *Tentative Conclusions about Uncertain Democracies*, does focus on the role of actors such as the military, the leadership of the old authoritarian regime, and incipient civil society, the authors admit that their work yields little guide for the study of transitions. They acknowledge that they did not originally have, nor upon

12. Guillermo O'Donnell, Philippe C. Schmitter, and Laurence Whitehead (eds.) *Transitions from Authoritarian Rule: Prospects for democracy* (Baltimore: Johns Hopkins University Press, 1986).

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completion did they develop, a 'theory' to test or apply.[13] While not specifically discussing choice their work highlights the importance of pacts, or deals between the authoritarian regime and pro-democratic actors. The relevance of political actors and their choices is clear, though, because such bargaining implies both a decision to try to make a deal and a decision to either accept or reject the deal struck.

It was the Rustow article that really initiated the transitions work. It was here that the role of choices and decisions in democratization were systematically and theoretically elaborated. Rustow claimed that democracy results from a decision phase in which political actors decide to accept the diversity within society, and to establish procedures for resolving political conflicts by means other than reversion to authoritarianism or violence. He writes explicitly that democracy is a choice. It does not simply arise even out of the necessary background conditions and preparatory phase.[14]

Rustow's process model of transition has four elements. Against a background condition (element 1) of national unity, in which the members of the polity have a shared sense of political community, there arises a long political struggle (element 2). Often the appearance of an alternative elite group initiates this struggle, which results in political polarization in the country. Provided that the polarization does not follow regional lines, which results in secession, a decision (element 3) is eventually made to accept diversity within the national unity, and to institutionalize some form of democratic procedure (the particular procedures are not important) to achieve on-going temporary resolutions of the differences. Finally, the new democratic system entrenches itself through habituation (element 4).

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13. O'Donnell, et al, *Tentative Conclusions* (Part 4 of *Transitions from Authoritarian Rule*), 3.

14. Rustow, "Transitions to Democracy," 356.

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The underlying force for this process is the choices made by actors--contending elites, including those from the authoritarian regime--to choose democracy as an alternative to the authoritarian political system. A precursor to the choices or decisions to opt for democracy involves the recognition by the incumbent authoritarian regime that its political control cannot continue in its present form. It must become clear, in other words, to the regime that politics and control in its current form will not yield the outcomes the ruling elite prefer. Here Dahl is instructive, as he points out that when the cost of repression (continuing the authoritarian regime) rises to exceed the cost of tolerance (greater openness) the system is more likely to begin including more political actors.[15]

The transitions approach offered by Rustow demonstrates how that would actually work. Specifically, the incumbent and contending elites would sit down and negotiate some form of a new, more inclusive political system. The system they choose could be some variety of reformed authoritarianism, or it could be some form of democracy. In this way democracy is one (of many possible) alternatives that the political actors could choose. As Rustow points out, the decision to undertake the democratic alternative is usually made by a small group of leaders, often the antagonists in the long political struggle between the contending elites. The nature of this process, then, invests political efficacy back into individuals in a way that the earlier developmental approach neglected.

Di Palma uses the same logic of individual efficacy in elaborating the mechanisms for "crafting" democracies. Where Di Palma departs from Rustow is over the time prescribed for transition. Rustow claims a generation or more is needed, especially for consolidation in the habituation phase, while Di Palma thinks that democracy should (and likely, can

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15. Dahl, *Polyarchy,* 15-16.

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only) be crafted much more quickly.[16] Part of the difference in time frames lies in Di Palma's lesser requirement for the achievement of democracy. He asserts that the transition is completed at the point that all relevant political forces mutually accept the rules of democratic procedure as crafted by the transition actors.[17] Habituation is less important because democratic procedures can be created, institutionalized, and legitimated through the creation of a pact between the relevant political forces.

Democracy is crafted, according to Di Palma, by the establishment of *garantismo* rules, which, in the initial construction of the rules of democratic procedure, guarantee fair and equal representation of all relevant actors. Democracy takes root by its ability to make all parties live up to the agreement, and because the rules and institutions offer the opportunity for reentry into political contestation, even for actors who "lose" in the current round. Those who renege on the democratic deal are effectively banished from further political activity because of their obvious violation of the agreement. Democracy once chosen, in other words, offers no real opportunity for long-term authoritarian retrenchment, because democracy becomes a more potent force than any actor's politically sustainable capacity to undermine or violate it.[18]

In *Democracy and the Market*, Adam Przeworski contributes the most explicit claim about why actors would choose democracy, and the way in which democracy generates compliance, even from actors who "lose" in the democratic process. He asserts that under

16. Giuseppe Di Palma, *To Craft Democracies: An essay on democratic transitions* (Berkeley: University of California Press, 1990). See pages 80-86 for the discussion of the importance of alacrity in transition.

17. On page 109, for instance, Di Palma introduces the discussion of politics "after" the transition by pointing out that "When an agreement on democratic rules is successfully reached, the transition is essentially over."

18. Di Palma, *To Craft Democracy*, see especially chapter six.

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certain conditions "[s]ome institutions...offer (the relevant political actors) a prospect of eventually advancing their interests that is sufficient to incite them to comply with immediately unfavorable outcomes. Political forces (actors) comply with present defeats because they believe that the institutional framework that organizes the democratic competition will permit them to advance their interests in the future."[19] In other words, democracy offers actors some probability between zero and one that at some point in the near to medium future they will be able to advance their interests, but only if they observe and honor the rules of the democratic procedure in the meantime.

Przeworski calls this forbearance the intertemporal perspective. If institutions are constituted in such a way that actors sense at least some probability of advancing their interests, even following "losses," some time in the future, those actors will forsake short-run interests (i.e., they will accept losses), maintain a longer-term (intertemporal) view, and continue to participate in the democratic institutions. When this prospect is more appealing, by its greater political legitimacy and therefore lower "cost," than continued repression, some form of democratic procedure will be agreed upon.

The emphasis on institutions and the supposed way they allow actors to maintain an intertemporal perspective reflects an important shortcoming in the transitions approach. Przeworski refers to the political outcomes (which some actors lose and some win) as "rounds," which implies a somewhat fixed and *discrete* event, most clearly, elections. Institutions, like the news media, whose performance affects more *continuous* political functions are not institutions that an actor can concretely "win." Rather, these institutions of everyday politics are used, employed, or exploited to seek advantage in the pursuit of political gains, including "wins" in the more "discrete" institutions like elections. Once

19. Przeworski, *Democracy and the Market*, 19.

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victory is achieved in an election, or parliamentary vote, or court decision, that particular institutional "round" is over, but the continuous business of politics, the exercise of power, the effort to sustain support are on-going. In these continuous pursuits the news media play a role everyday, not just during election season, and the battle over the news media is not something that can be "won" in the same way an election can. News media performance in these transitional societies is subject to indeterminacy in the rules, and "outcomes," such as they are, cannot be readily and transparently assessed, because the rules offer no standard and definitive mechanism by which to take the measure of the outcomes.

Rustow, Di Palma, and Przeworski focus primarily on the role of individuals (and perhaps elites as a group, but still reflecting political behavior). O'Donnell, Schmitter, and Whitehead do provide insight into the role of larger, more amorphous groups. Specifically, they contend that the popular upsurge in civil society, at just the right moment, widens the divide in the authoritarian regime (by their definition, a requirement for any transition to even start) and pushes the transition further than it would have gone otherwise. Conversely, the military is an organization that can hinder the transition to democracy. Providing the military with a a role in national politics appropriate to its interests and capacities while at the same time defusing its grandiose vision of itself as the embodiment of the nation can be a difficult balancing act. But it is one that must be undertaken to keep the transition on course. The East European cases bear out the importance of civil society. The countries in which the transitions started first (Poland and Hungary), and the countries where it has progressed the furthest (the Czech Republic and Hungary) are precisely those countries that had a strong tradition of civil society, even if it was aggressively suppressed

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in the latter years of the state socialist system.[20] But the structure and role of civil society are not the same as those of democratic institutions; civil society actors pursue their preferences by "using" the institutional mechanisms of the democratic system, and the reconstruction of democratic organizations and institutional relationships differs from the reestablishment of civil society.

I have outlined the major elements of the transitions approach, including the emphasis on the role of "individual" political actors, the abilities and processes by which these actors "choose" democratic procedures, and the exclusion of prior social content from the expectation of the democratic outcome. I proceed now with a general critique of the transitions approach, then on to the specific debate between the transitions and legacies schools and their competing claims about East Central Europe.

Actors, Institutions, and Outcomes in the Transition Process: A Critique

While the emphasis on political actors and their choices has redressed some of the methodological and substantive shortcomings of the political development approach, it has so far neglected or mis-specified at least three important elements of the transition process. First, transition scholars have tended to compress the chronology of transition to the point that politics and actors' political strategies are lost or can be assumed unimportant. Second, the transition scholars give inadequate attention to the power of institutions, especially those carried over from the previous period, to shape political actors' bargaining behavior by setting parameters (of constraint *and* opportunity) in in the process institutional

20. Civil society traditions were quite strong in the Czech republic, necessitating, perhaps, even greater state suppression than somewhere like Hungary, where tolerance for civil society activities was thought, by the party, to defuse political energy that might be channelled into real resistance. For a fuller discussion of this see Vladimir Tismaneanu, *Reinventing Politics: Eastern Europe from Stalin to Havel* (New York : Free Press, 1992).

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reconstruction. By this I do not refer specifically to the Leninist legacies, but rather to the fact that the transition approach generally dismisses institutions and their political effects. Third, in the process of excluding questions of "content" (or more specifically, assessments of prospective future outcomes) from the course of the democratic bargain, the transitions approach seems to have also eliminated analysis about actors' expectations and preferences regarding the outputs of the new democratic system. The transitions approach, in other words, ignores from the fact that democratic bargainers will indeed have preferences about outcomes, and they will work to establish or maintain institutions that will serve them in pursuit of those outcomes.

The Transition Chronology

The compressed chronology in the transition approach is most clearly reflected in the elaboration of the transition events. The time between the actors' agreement on democratic procedures and the actual first execution of those procedures to yield a new democratic government--the interregnum[21]-- is simply dismissed in the transition approach by stipulating that the transition to democracy is complete upon the actors' acceptance of the democratic agreement. Both Di Palma and Przeworski, for instance, emphasize the bargaining and the ultimate agreement as the focal point of the transition process.[22] Rustow, too, emphasizes what might be called the democratic agreement. He also indicates, however, that a process of habituation, during which actors practice and become

21. Shain and Linz, *Between States: Interim governments and democratic transitions* (Cambridge, England: New York: Cambridge University Press, 1995).

22. See, for instance, Przeworski's emphasis on the bargaining in *Democracy and the Market*, especially chapter 2, p. 54-88.

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accustomed to the new democratic procedures, and during which democratic institutions be given the room to establish themselves, is necessary.

While this habituation is an important element of the institutionalization of a democratic system, Rustow, like the other transition theorists, ignores the specific features of the interregnum, which may offer more explanatory power regarding the actual characteristics of the particular democratic system that the actors will habituate. For a better handle on the workings of the "really existing" democratic system that will result, we need to know more about the interregnum, because it has implications for both the procedural and substantive character of the subsequent democratic system. Though in this study we will not focus specifically on the interregnum we do borrow the conceptual notion of a period of political uncertainty where behaviors and rules governing them remain to be forged, and during which competing actors' opportunities and constraints affect their behaviors and, subsequently, the rules and procedures that are ultimately adopted. The relationship between the government and heads of the nominally independent national broadcasting organizations, for instance, is an example of a specific political relationship that must be forged through the process of the interregnum, and not in the general and/or narrow democratic agreement.

New and Existing Institutions

The second oversight in the transition scholarship is the lack of distinction between new and existing institutions. In fact, the transition theorists have essentially left existing institutions out of their analysis, except to treat them as actors (like the army), represented by individuals, that participate in the democratic bargaining. And while their theories focus on the way the new institutions can establish democracy, they spend little time considering how existing institutions are reconstituted (except perhaps for the army) to perform their

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functions within a democratic system. The news media, for instance, must be reconstructed as an independent institution with no political or monetary responsibility to the government. This reconstruction of the news media must be undertaken upon an institution that had been completely reliant on and subservient to the government. The point here is that the political task of bargaining over setting a date and procedure for holding elections is substantially different from wholly reconfiguring the political mandate of an existing institution, changing it from state control to independence.

The process of reconstituting existing institutions into the democratic system can yield either of two things. If an institution is not specifically addressed by the actors bargaining over the democratic agreement, then the relationships and behavioral aspects of that institution will remain essentially unchallenged and unchanged. This leaves institutional traces[23] in which old patterns and forms of relationships will likely continue unaddressed. On the other hand, if an institution is specifically discussed in the process of the democratic bargaining (as the army and police frequently are), then institutional changes will be made based on the existing characteristics of the institution. In other words, the features of the institution as it exists provide the point of departure, and serve as road maps for institutional change. In either case the features of the existing institution are important for understanding the likely outcome of future institutional changes. The experience of news media reform in East and Central Europe has involved both cases.

23. Przeworski even acknowledges that institutional traces will remain from "extricated" transitions, in which the authoritarian regime negotiates with the opposition regarding the process of transition. See *Democracy and the Market*, 78.

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Content and outcomes

Finally, the transitions scholars specifically make a point of removing the normative content from their interpretation of democracy. Przeworski, for instance, asserts that "democracy must generate substantive outcomes," but this "cannot mean prior commitment to equality, justice, welfare, or whatever."[24] The specific distributions of political power, economic wealth, or social authority are not things the democratic procedure, and the bargain that establishes it, is concerned with. Rather, they say (quite rightly, as far as they go), that democracy is the commitment of all relevant political forces to the institutionalization of permanent procedures of temporary but on-going conflict resolution. Democracy and the path to it are choices, undertaken by political actors, to accept diversity and conflict in the polity and to find acceptable ways for institutions to resolve those conflicts. Democracy, then, is defined as a set of institutional procedures for resolving political conflicts, and there are no assumptions about its social content.

Clearly, it is accurate to say that the the procedure of democracy cannot promise a certain distribution of wealth, or guarantee a certain quality of life. But it seems that the transitions scholars have overemphasized *procedure* to the neglect of actors' concerns about *outcomes*. We should expect the rational, self-interested actors participating in the democratic bargaining to pursue the creation of institutions that will likely, as best they can determine, fulfill their own objectives.[25] If we put the interregnum back into the transition

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24. Przeworski, *Democracy and the Market*, 32.

25. In a review article assessing New-Institutional approaches, Thomas Koelble points out that in the rational choice perspective, utility maximizing individuals create institutions (undoubtedly to pursue their goals) which later, and perhaps unintentionally, constrain behaviors. Further, institutional change, in the rational choice perspective, comes about only when the actors desiring change are "greater than" (or, have more pull than) those against change. See Thomas Koelble, "Structuring Politics: Historical institutionalism in comparative analysis," *Comparative Politics*, 27 (January 1995),

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chronology, and if we acknowledge that existing institutions are subject to contentious reconstruction because of their former patterns of outputs, then content can and does matter.

In fact, political content--in so far as it is measured as political "outcomes"-- seems, for many actors in transitional societies, to be precisely the point. Andras Korosenyi specifically points out, for instance, that many of the intellectuals who were early organizers of political resistance and nascent political parties were committed to democracy not as an ensemble of institutions and procedures, but as a normative system of "content."[26] The nationalist antipathy of the communist subversion of "identity" is an issue deriving from political content, as is the economic reformist desire to reestablish more productive economic relations. Groups focusing on women's rights, environmental rights, and others are, in the main, expressing their preferences about political content. Or, more succinctly, they are expressing preferences for political outcomes, and it seems improbable that these groups that have preferred political outcomes will separate these preferences from the process of negotiation over the initial creation of democratic procedures. Rather, actors will prefer rules and institutional arrangements (to the extent that these are specified) that they perceive will more likely generate their preferred outcome.

While it may be analytically elegant to remove content from the picture, in reality, content, expressed through preferences, matters. To assert otherwise is to implicitly claim that the actors negotiating the democratic agreement have absolutely no material interest in what the democratic rules and procedures might yield in real political outcomes. But we

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231-43. In the next chapter we will see that Barbara Geddes makes a similar observation with respect to East and Central Europe.

26. Andras Korosenyi, "Intellectuals and Democracy in Eastern Europe," *The Political Quarterly* 65 (Oct-Dec 1994), 420. Korosenyi further contends that some of these disaffected intellectuals sought control over the media as means of pursuing their normative preferences.

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know, as even Rustow admits, that the actors to the negotiation arise out of their political difference with the authoritarian regime, and/or other actors. It seems clear, then, that content, implicitly expressed as preferences for outcomes, will be a part of the political bargaining over the democratic procedures.

Conclusion

To this point I have tried to show that the recent study of transitions to democracy, with its emphasis on political actors and their choices, came as a response to the inability of the political development tradition to explain the genesis of change. Further, I argue that the transitions approach, itself, has neglected important factors (the role of institutions during the interregnum, the impact of actors' preferences about subsequent outcomes on their initial bargaining strategies) in elaborating the transition process. I contend here that the new democratic actors will learn successful political strategies for deploying the existing institutional/organizational resources, under the existing rules, to pursue their political objectives (electoral success being one of the primary). Under such circumstances there will be a disincentive for these increasingly successful actors, to change the rules, and the institutional relationships that follow therefrom, as this alters, in an uncertain way, their capacity to deploy the organizational resources they now know how to exploit.

I proceed now to more extensively examine the most current form of this debate. In East Central Europe the impact of social structures has been reintroduced to the debate on change and its requirements. Now, transitions scholars argue that new institutions, forged in the democratic agreement, can create democracy even in the face of 40 years of political erosion under Leninism. On the other side, a group of scholars more rooted in a structuralist perspective claim that even new institutions will have difficulty overcoming the legacy of Lenin.

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CHAPTER III

INSTITUTIONS AND ORGANIZATIONS: CONSTRAINTS ON PURPOSIVE ACTION TO "CREATE" DEMOCRACY

In the previous chapter we saw that the contemporary consideration of democracy and the process of democratization started with the structuralist development model, and, out of that model's failings, grew a reassertion of the centrality of choice and intentional action in the transition to democracy. We can now bring this debate forward to the present by examining the current expressions of these same two conceptual approaches. The so-called "Leninist legacy" school argues, from a structural perspective, that the social, political, and economic impediments to change will stifle any efforts at democratization, while the transitions scholars (or "transitologists") contend that institutional rules can bind all actors to the democratic procedure.

In order to illuminate and compare these competing claims about the prospects for democratization in East Central Europe I will reconsider them from a conceptual perspective focusing on "institutions" and "organizations." By doing this I will be able to fully develop the critiques of both that I contend reveal the oversights basic to each. The theoretical insights from institutional and organizational analysis generate challenges to both the transitology and the legacy approaches. Specifically, they underwrite my contention that a) existing institutions differ from ones bargained over and "created" in the democratic agreement, and therefore the process of reforming these existing institutions differs from the process of initially forming new ones, and b) the "legacies" that will likely inhibit or somehow interrupt the process of democratization derive from the self-interest of the new

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actors in their deployment of the organizational resources that persist from the pre-transition period. The prior Leninist "content" does have certain effects on politics and the processes and prospects for change, but a different set of organizational legacies, immaterial to Leninism per se, generates another set of effects. In focusing on the latter case I specifically argue that organizational resources and institutional connections remaining from the previous non-democratic party-centric system grant to actors the *opportunities* to use existing, less than fully democratized institutions in self-interested ways that often violate the democratic intentions.

I proceed now with brief discussions of institutions, then organizational resources, before moving to a fuller elaboration and critique of the transition and Leninist legacy approaches. In finally assessing actor preferences and the prospects for institutional change we will again most squarely confront the transitions approach (particularly as represented by Adam Przeworski) by asserting that actors' incentives can very plausibly lead them to construct, but especially maintain, institutions inimical to democracy.

Institutions

The notion of *institution* as an analytic concept is somewhat vague, as it is formulated differently across the various social and management science disciplines. Moreover, the contrast between the "old" and "new" institutionalism confuses the definition even more. Powell and DiMaggio, for instance, note that the while the old institutionalism focused on norms, informal structures, vested interests, and change, the new institutionalism focuses on routines, symbolism of formal structures, legitimacy, and persistence.[1] In the current

1. Paul J. DiMaggio and Walter W. Powell, "Introduction," in *The New Institutionalism in Organizational Analysis*, Walter W. Powell & Paul J. DiMaggio (eds.), (Chicago: University of Chicago Press, 1991), 13.

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work, we do not attempt to sort out and evaluate these differences. Rather, we will draw widely on the insights offered by the variety of institutional analyses.

In this study we will think of institutions broadly, as patterned, routinized interactions that follow from political relationships which are ordered by rules, roles, strategies, cultures, etc., that motivate action "often based...on identifying normatively appropriate behavior."[2] Drawing on Jepperson's discussion of institutions as established procedures, which often represent the "rules of the game,"[3] we will think of institutions, then, as formal or informal rules of the game, manifested in organizational behaviors or political norms, that set the boundaries of constraint *and* opportunity in the relationships between political actors. The way in which these procedures, or rules, or norms become "institutionalized," or routinized, involves a "relatively self-activating social process."[4] In other words, institutions do not require mobilized "action" to be sustained. A handshake, for instance, is an institution of introduction; avoiding a handshake is an "action" that violates the norms of introduction. In short, as the features of political relationships get repeated and become more routinized they become institutionalized as the "regular" or "typical" characteristics of interaction.

The way the media relate to, interact with, and respond to the government and other official political actors, and vice versa, and the way that political actors engage in the political process of reforming the rules of those relationships is the central focus of the current study. Under the state socialist system, the relationship of the party-state to the

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2. James G. March and Johan P. Olsen, *Rediscovering Institutions: The organizational basis of politics* (New York: The Free Press, 1989), 22.

3. Ronald L. Jepperson, "Institutions, Institutional Effects, and Institutionalism," in *The New Institutionalism in Organizational Analysis,* 143.

4. Ibid, 145.

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media was governed by highly specific social and political expectations (by the party) and obligations (of the media). Efforts to transform the media into independent, free actors, then, involve changing (or eliminating) the set of expectations and obligations, freeing the media of their institutional responsibility to the state or other groups of political actors. The pre-existing relationship of media dependence on the party and the state, while requiring occasional party intervention, was largely self-activating, so the reform imperative in the post-communist environment requires concerted "action" to undo the old, well-entrenched relationship and create rules and procedures for a new one. In short, reforming the media involves intentionally violating the norms and customs of the established media-state relationship. Such a "violation" is unlikely, I contend, because the new democratic actors played (and the now dominant actors won) the first round of the democratic game under the old institutional relationships. Consequently, they have reduced incentive to replace a set of rules by which they know how to prosper with a set of rules that increases political uncertainty.

A new kind of relationship between the media and other political actors, complete with a new definition of "appropriate behavior," is necessary, but this definition is often subject to disagreement and political conflict. Government politicians often think media support is appropriate, while opposition politicians usually think criticism, or at least skepticism, is more important. The conflict over the media, and their reform, then, becomes a competition to create the appearance or "symbols"[5] of change, in this case, toward media freedom.

The prospects for the reform project are thrown into further doubt when we consider another important aspect of institutions. As March and Olsen remind us, "Institutions

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5. March and Olsen, *Rediscovering Institutions*, 49.

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change, but the idea that they can be transformed intentionally to any arbitrary form is much more problematic."[6] Reforms are much easier to choose than they are to implement, for various reasons, but Jepperson reminds us of one of the most important. He points out that "[i]nstitutions are not just constraint structures: all institutions simultaneously empower and control."[7] Actors confronted with a changing institution, in other words, are as likely to make opportunity for themselves as they are to suffer constraint imposed by others. By seizing and exploiting these probably unintended opportunities, the behaviors of these actors can cause a divergence between the actual outcome of the programmed change and the intentions of those "directing" the change.

In sum, the "environment" in which the media previously operated included rules, procedures, and obligations of media dependence. The elimination of that dependence, and the creation of independence in its place has been the professed goal of most of the political actors in the region. On the other hand, the "institutionalized" political relationship of the media to political parties and to the government that existed at the initiation of the transition events was also the institutional arrangement within which the new democratic political actors were forced to operate and to which they adapted their behaviors in pursuit of their political objectives. The institutional framework, including media dependence, was the environment in which the now successful democratic political actors achieved their first success, so their willingness to significantly change the institutional framework, which they now know how to operate to their advantage, will probably diminish. We can further elaborate this with some of the insights into organizations, and the processes of their change (or lack thereof).

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6. Ibid, 56.

7. Jepperson, "Institutions, Institutional Effects, and Institutionalism," 146.

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Organizational Analysis

In important ways the efforts to redefine appropriate news media behavior and new political relationships between the news media and other political actors resembles a process of organizational change. I specifically contend, however, that the interconnections between the media and the state offer the newly activated political actors a set of organizational resources that can be deployed to benefit them in the pursuit of their own political objectives. As such, these connections will be sustained, not cut, as would be required to undo the relationship of media dependence and create a new system of independence.

The structure of the state in the communist system could be seen as one large (and perhaps amorphous) organization. As the party cemented its control and authority, more spheres of social and political life came under its organizational control. As we shall see in chapter four, organizations or actors such as the media were systematically co-opted into or simply commandeered by the party hierarchy. To ensure adequate party attention to the particular issue or group or organization, the party established committees to monitor and manage them. To ensure the state adequately directed organizations and actors to pursue the party goals, the party created a parallel state bureau. The party organization controlled the state, and the state organization nominally directed the actual performance of every enterprise. In some ways, then, political reform in the post-communist period involves the disconnection of organizational sub-units (the ones independent from the state in the West--banks, large industrial enterprises, the media) from the central organization (the state).

Analysis from the study of organizational change indicates, however, that the prospects for this degree of intentional change toward a particularly desired outcome are not as good as we might expect based on rational choice assumptions and predictions. For one thing, actors' self-interest can reinforce tendencies toward inertia. Selznick argues, for instance,

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that organizations or institutions become less likely to change as they become "infused with value beyond the technical requirements of the task at hand."[8] The free media's specific technical requirements include the production and distribution of unbiased information useful to the participation in political and social life. By contrast, politicians who see their own potential advantage in media configured or aligned a certain way have a stake in a quality of media performance that diverges from the media's technical requirements.

Neither is the reform process itself so clearly "rational" as to identify the highest quality objectives before the process of change is initiated. Brunsson and Olsen argue, for instance, that "[r]eform processes are characterized more by the creation and reshaping of aims and preferences than by the transformation of predetermined aims into new structures and processes."[9] In other words, reforms are not necessarily directed toward achieving goals established exogenous to the reform process itself, but rather the goals are often subject to manipulation by reformers, the likelihood of predicted success, the need to create the appearance of intentions to reform, or some combination of all these. Reforming the party-state-run media into free independent media is a process complicated by the conflicting political preferences of different actors, the need for actors to *appear* to be actively making changes to the media, and ultimately the desire of competing actors to generate institutional outcomes that will more likely serve their own interests. All these complications amount to real barriers to organizational and institutional change.

Analysis of organizational *environments* also offers useful insights for our study of the news media and their reform. While concepts of organizational populations, organizational

8. Philip Selznick, *Leadership in Administration* (Evanston, IL: Row, Peterson, 1957), 17.

9. Nils Brunsson and Johan P. Olsen, *The Reforming Organization* (London and New York: Routledge, 1993), 11.

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sets, and inter-organizational fields are less relevant to analyzing the media (at least the electronic media), since there is only one "organization" in the population, insights about "relational frameworks" or institutional "structuration"[10] are helpful. Noting that organizations are located in frameworks of relations (with other organizations and societal actors) that shape and constrain the organization's possibilities for action, Scott[11] claims that these relations among organizations tend to become increasingly formally organized. The interactions between organizations, in other words, become more formalized, routinized, structured, and bureaucratized. The organizational analysts point to various, and sometimes divergent, outcomes from these increasingly organized relations, but in the context of the current study we should note that increasing the formalization of relations between the media and the government is moving in the wrong direction with respect to media independence.

In this study, we will examine the news media from an institutional standpoint-- focusing on the relationships between the media and other actors, and what those other actors hope or expect to derive from that relationship. Taking insights from organizational analysis into perspective we can see how we might begin to generate plausible explanations for why the media have changed less than one would expect, at least if there is any value in political rhetoric, and how actors might continue to try to deploy and exploit the media for their own benefit. We proceed now by applying these general conceptual analyses to the specific debate about the prospects of democratic transition and institutional reform. By the

10. See W. Richard Scott's discussion of DiMaggio and Powell, 1983; Giddens, 1979; Meyer and Scott, 1983 in "Unpacking Institutional Arguments" in *The New Institutionalism in Organizational Analysis*, 164-182.

11. Ibid, 171.

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end of this chapter we should see that the transitologists' emphasis on the creation of new institutions and the Leninist legacy emphasis on Leninist content are both incomplete.

The Current Debate: New Institutions vs. the Legacy of Lenin

The current debate focuses primarily on the prospects for political change, and specifically democratization, in the post-communist political environment of East Central Europe. The transitions scholars basically assert that if actors in these countries can "get the institutions right" (i.e., design procedures that actually do bind actors to the outcomes), then democracy will take hold. If, in other words, the new democratic actors can create institutions with rules that have the power to bind actors to accept the outcomes, then democracy will succeed. This institutional capacity to force, so to speak, democratic participation will transcend the political, social, and economic legacies of Leninism. The "legacies" approach, by contrast, asserts that the persistence of Leninist structures and institutions generates significant barriers to democratization.

Transitions and Institutions

The current expression of the transitions approach follows the reasoning of the earlier general transitions scholarship. Crawford and Lijphart, for instance, assert that the "imperatives of liberalization"will obliterate past negative influences in the process of democratization.[12] The combination of newly created democratic institutions and the social, political, and economic necessity to liberalize, complimented by international

12. Beverly Crawford and Arend Lijphart, "Explaining Political and Economic Change in Post-communist Eastern Europe: Old legacies, new institutions, hegemonic norms, and international pressures" *Comparative Political Studies* 28 (July 1995), 171-199.

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pressure to do so, will make the need to democratize and marketize so clear that reverting to previous Leninist patterns will be politically infeasible.

Similarly, Geddes asserts that newly built democratic institutions will quickly develop constituencies with vested interests in those institutions and their political capacities in the new democratic political environment. These new interests, according to Geddes, will supersede the older entrenched interests.[13] Focusing on the creation of new political parties, she contends that these incipient parties provide new political entrepreneurs with ready mechanisms to pursue their political preferences. The political entrepreneurs who use these parties then develop a stake in those parties' status in the democratic system, and thereby in the system itself. This seems both plausible and reasonable, but when this logic is generalized, as it is by Crawford and Lijphart, to assert that even the old authoritarian elites will have to alter their behavior to the changed institutional circumstances, the "imperatives" approach leaves itself open to an important criticism.

Specifically, if institutions are so potent as to have the capacity to compel the authoritarian elite to behave as democrats, it follows that if *existing* institutions do not sufficiently change from their state socialist construction, even new democratic elites could possibly be "constrained" to act as the old elite did under the same institutional arrangement. To put it another way, would not existing institutions, if not sufficiently transformed, be potent enough to bend political actors to the old institutional situation? This question, which is the broad focus of the current study, becomes more than intellectual fancy when we consider a subsidiary claim, also quite reasonable, offered by Geddes. She asserts that "political institutions change only when...they fail to serve the career interests of those with

13. Barbara Geddes, "A Comparative Perspective on the Leninist Legacy in Eastern Europe," *Comparative Political Studies* 28 (July 1995), 239-274.

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direct power to change them."[14] If we invert the proposition, it becomes quite clear that if institutions adequately serve the career interests of those in control of them, then those institutions will not likely be changed. It strains credulity to believe that this somehow is less applicable to institutions in their state socialist form. In other words, there is no reason to believe that what rational choice institutionalism tells us as are self-interested actors who use institutions to generate outcomes they want should do anything less than use the news media as a political tool with which actors pursue their interests and goals. As such, the prospects for transformation of the news media, unlike initial construction of a new institution (like a popularly elected president), will be directly subject to the political preferences of the actors who seek to exploit the media for political gain. *The empirical work of the current study will demonstrate that the news media in their state socialist institutional relations and organizational forms have served the career interests of the new democratic politicians, and have not been significantly changed. This critique, and the substantive response, will be expanded in a subsequent section of this chapter.*

During the negotiation of the democratic agreement, the newly enfranchised participants in the democratic bargaining not only jockey for advantageous positions in politics generally, but also seek to understand how prospective institutional arrangements, over which they are bargaining, can best work to serve their own interests. In this environment, according to Geddes, actors will have a dominant incentive to create institutional arrangements that serve their political self-interest. To the transitions scholars , these incentives are not detrimental to the process of democratization, because the (new) democratic institutions, and their procedural rules, will make it politically infeasible for a particular actor to subvert the institution and the rules in pursuit of self-interest. But the

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14. Ibid, 241.

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value of this claim may be more a function of *which* institutions actors bargain over (at least in the beginning of the transition, which is where the transitions/transitology approach focuses) than the legitimacy or capacity of the democratic institutions themselves.

The Difference Between New and Old Institutions

When considering the process of the democratic negotiation, the difference between existing and new institutions becomes crucial. Political actors are more likely to argue over new institutions than existing ones during the process of the bargaining over the democratic agreement. The rush to hold elections and to form parties, two of the more salient features of political change toward democracy, will occupy more interest and attention than the less dramatic consequences of alterations in already existing institutions, like the news media, or the central bank, whose operations are not as clearly indicative of a smoothly functioning of democracy.

Moreover, reforms of existing institutions tend to have a different imperative than the requirements of creating new institutions. Newly created institutions have the benefit of being elaborated in precisely and definitively-worded documents that have the status of law. For instance, when Solidarity negotiated with the Jaruzelski government to hold elections, the agreement on a specific date is a clear and definitive indication of what people can expect from the political actors. Existing institutions, on the other hand, are often merely made as opposite as possible from their state socialist constitution.[15] This institutional "change by negation" can often be achieved by mere lack of enforcement of the existing law or

15. For instance, we shall see in subsequent chapters that the first, and basically only, "reform" of the print press in the beginning of the transition was to specifically articulate the prohibition of censorship and to guarantee the right of anyone to "own" or produce a publication.

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institutional regulation, and does not require the promulgation of a new legal standard or requirement.

This kind of ad hoc institutional change is less thorough, less comprehensive, and less definitive than the more elaborated creation of new institutions. The case of newspapers and magazines in most of the state socialist countries of East and Central Europe is illustrative. In the heady days of late 1989, when temporary, brokered governments, consisting partly of communists and partly of opposition, provisionally ruled in many states, the state socialist laws on the registration of periodicals were simply ignored. In the first few months of 1990 innumerable journals sprouted, printed one issue, then folded, all before any official revocation of state socialist registration laws was even considered. In such circumstances of ad hoc institutional "change" political actors operate in a more reactive mode, responding to the changes actually occurring, rather than creating the change, as in the bargaining over newly created institutions. Further, political opportunity awaits the quicker and more aggressive to react, as the political mandate for changing the political functions of existing institutions is more open to manipulation, once actors become aware of such possibilities.

Another difference between creating new institutions and changing existing ones involves the kinds of institutions that are subject to each process. The creation, at least initially, of new institutions in the democratic agreement tends to emphasize events or discrete circumstances, not institutions involved in the continuous, everyday functioning of the democratic system. Elections and their rules are the first focus of the democratic bargaining, as they are the focus of most scholarly work. Deciding on the status of various governmental positions (such as the type of Executive), also quite common in initial bargaining, is similarly an event, at least to the extent that discussion of specific distributions of power and the political consequences of various arrangements is limited. If

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actors in the political bargaining are confronted with the prospect of addressing political consequences of the arrangements they decide on, they run the risk of revealing too much of the strategic nature of their own political preferences, as well as their attitudes toward the bargaining itself. In many cases, those participating in the bargaining also expect, whether accurately or not, to participate and thrive in the political processes they are establishing. To discuss the actual working relationship between, for instance, dual executives would reveal the bargaining actors' assumptions about what Schmitter and Karl call "political causality" and their expectations of the effects of various institutional arrangements.[16] The political battle between the Hungarian Prime Minister and President over who had authority to control (in this case, to fire) the heads of national broadcasting illustrates this rather indeterminate nature of the democratic bargaining over actual political relationships and the powers of different positions and actors. Like other relationships and distributions of power, the actual distribution of power between a split executive is less clearly defined in the process of bargaining over the democratic agreement. In Poland in 1994, then President Lech Walesa fired the head of national broadcasting, though the president has no explicit right to do so. The firing held up simply because nobody challenged it, including the head of broadcasting himself. Generally, these two cases also reflect the political manipulability of institutional relationships that undergo less than definitive reconstitution.

Any discussion of already existing institutions necessarily involves more discussion of claims or assertions about "political causality." To support an argument to change an

16. I use "political causality" here to refer to actors' heightened perception, whether correct or not, of the cause and political consequences of strategic choices and behaviors of (other) political actors. The bargaining/transition actors, I contend, will spend extensive energy trying to determine, as best they can, how various institutional arrangements *might* likely affect them and their objectives. See Phillipe Schmitter and T. L. Karl, "Transitologists and Consolidologists," *Slavic Review* 53 (Spring 1994) 1994, see pages 176-178.

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existing institution, especially one involving the everyday functioning of the political system, an actor would more clearly have to reveal assumptions, preferences, strategies, and attitudes. For instance, to specifically assert that the news media ought not to be subject to the Ministry of Culture or that there ought not to be a government agency that controls TV and radio broadcasting, let alone whether the president can fire the head of such an agency, is different from simply voicing support for the vague principle of press freedom. To be direct (and demanding) about such institutional change, as in the former, is politically inexpedient because it implicitly reveals an actor's expectations about political relationships and outcomes, as well as the factors that influence those outcomes. It is politically easier and clearer for actors to negotiate discrete political events than practical, everyday politics. For example, identifying and measuring the increase in the democratic quality of the political system is easier when talking about rules for an election than everyday news media behavior.

Moreover, existing institutions already have a political environment in which they operate. Changing the informal, non-specific working relationships that have already been established between existing institutions might appear too strategic. In fact, such claims about actors' manipulation of the news media have been fairly common in Eastern and Central Europe. Finally, the political imperative of creating a new democratic institution, like an elected president, is usually greater than the political imperative to change a more amorphous institution like the news media. An actor's assertion of the need to change existing institutions may, again, appear more strategic than the popularly accepted, even demanded, need for new, obviously democratic institutions like elections and political parties.

In short, making a formal, legal change in the relationships of existing institutions requires more political will than creating new and popularly demanded institutions.

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Compared to the politics of existing institutions, then, rule-bound events, like elections and even the codification of the rights of political parties, *do* transcend and constrain political actors' self-interest. The transitions scholars in other words, do offer reasonable explanations and claims about the prospects of institutionalizing democracy, but only when the discussion is confined to the creation of new institutions. The situation is more uncertain when it comes to changing existing institutions.

Ambiguous popular expectations about change of less clearly defined and fluid political relationships, like that between politicians or the government and the news media, leave political actors relatively unconstrained, and thereby make the process of changing existing institutions more amenable to the pursuit of less easily discerned self-interest. It seems highly plausible that institutions and institutional relationships with any degree of ambiguity *encourage* self-interested strategic behavior on the part of political actors. Any ambiguity of political or institutional mandate, i.e., the lack of specific legal constitution of the particular institution, subjects institutions and their mechanisms to a variety of possible (and self-interested) uses, which can then be rationalized and justified under the guise of a different interpretation of the institution's mandate, or a different definition of the democratic functioning of that institution. For instance, one of the most nettlesome conflicts over the news media in the immediate post-communist period involved the publication of lists of former state security informants or staff. (This was particularly a problem in Czechoslovakia.) Many opponents of the publication cited the potential damage that such publicity might do the process of national reconciliation as justification for their opposition. While such arguments no doubt have some force, it seems just as plausible that more than a few political actors wanted to squelch the journalistic habit of digging into an individual's political activities during the communist period, lest some less than flattering information about their own histories be revealed. Still other politicians might have preferred that the

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issue of communist era indiscretion be left to the state's disposal, and worried that public access to such information might indirectly destabilize the politics in which the new political actors now had a stake. In any case, informal and ambiguous (i.e., less rule-bound) (re)constitution of an institution and its relationship to other institutions subjects that institution to greater indeterminacy of the subsequent democratization reinstitutionalization. By comparison, with a clearly constituted rule-bound institution, such as a free election, the only possible conflict revolves around whether the rules were followed.

To summarize, in analyzing democratization (generally, though the current analysis focuses on East Central Europe) the transitologists overlook important aspects of democratic transitions. Specifically, their general approach does not take account of a) the difference between reconstituting existing institutions and creating new ones, b) the process of politics during the interregnum, and c) the strategies of self-interested politicians in exploiting institutions (especially the less thoroughly democratized existing ones) for their own political advantage.

The Legacies Approach

On the other side of the debate about political change in East Central Europe are those that point to the legacies of Leninism as the dominant fact of political life in East and Central Europe. Criticizing the willingness of transitions scholars to lump all transitions together, the legacies school asserts that the initial conditions (state socialism) from which these transitions started were unique, and as such make them incomparable to transitions in southern Europe or Latin America.[17]

17. Valerie Bunce, "Should Transitologists be Grounded?" *Slavic Review* 54 (Spring 1995), 111-27.

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For instance, the legacies approach points out that the party-state system, unique to the Leninist state socialist experience, so compressed both class and politics that both are completely unavailable as a means of organizing political life. The "point of departure" for the East Central European transitions, then, is substantially different from other transitions--perhaps unique, and we should not be surprised to find that the state socialist legacy proves more difficult than other authoritarianisms to surmount.

Calling an institution "a partisan pattern of authoritative behavior," Kenneth Jowitt, a leading proponent of the legacies approach, explains that "an analytic study of a communist regime that abstracts from [the] novel institutional framework will almost surely produce false conclusions."[18] Jowitt points out that the two dominant modes of thinking about the Leninist regimes--calling them *totalitarian*, or assuming they can make democratic *transitions* like any other authoritarian regime--are inadequate. To assume the Leninist regimes to be totalitarian is to dismiss important and unique institutional features of Leninism, and the transitions approach relies too heavily on the assumed "craftability" of democracy in the Leninist regimes. Both approaches, according to Jowitt, are subject to analysts' willingness to categorize unfamiliar phenomenon into familiar categories, and in so doing these analysts miss important institutional differences between the experience of the West and the Leninist regimes. Stephen Hanson[19] supplements Jowitt's otherwise vague elaboration of potential legacies by elaborating the different aspects of the consequences of 40 years of Leninism. He notes, for instance, that the legacies of informal

18. Kenneth Jowitt, "Weber, Trotsky, and Holmes on the Study of Leninist Regimes," *Journal of International Affairs* 45 (Summer 1991), 42.

19. Stephen Hanson, "The Leninist Legacy and Institutional Change," *Comparative Political Studies* 28 (July 1995), 306-14.

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norms, of institutional rules and relationships–what he calls the "cultural" legacy--will be particularly difficult to overcome.

To a certain extent Jowitt's claim comports well with the argument advanced here. The characteristics of institutions do matter, but more than in the way Jowitt and Hanson describe. The democratic institutional arrangements configured from the authoritarian system's legacy are not constructed on a blank slate. If anything, institutions that had some organizational existence during the authoritarian period are *reconstructed*, the political possibilities for which are constrained both by previously existing institutional structures and by the authoritarian political environment from which the change has to be made. Obviously, in the case of East and Central Europe this authoritarian political environment is Leninist, but the reconstruction of existing institutions, when formerly wholly state controlled, poses unique political problems, previous Leninist constitution aside. Further, while the cultural legacy of Lenin may indeed inhibit the fullest reform or democratization, the existing organizational and institutional rules also inhibit democratization. The new political actors might be devotedly anti-Leninist, but even more devotedly self-interested, and so exploit the opportunities available in the existing institutions, regardless of previous Leninist orientation.

The Leninist legacy scholars are right to focus on the resilience of institutions. Their approach, in effect, makes an argument similar to that proffered in the current study-- existing institutions are a different political issue and problem for the process of democratization. They incorrectly point to the Leninist content, however, as the problem. It is the nature of institutions and their "behaviors" in politics, and not their Leninist elements, that are constraining and channelling the democratization process. The institution's characteristics set parameters on and provide the opportunities for institutional change.

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We have already seen, anecdotally, ways in which institutions bear upon the subsequent politics of the transitional regime, but I will briefly reiterate this more clearly. First, previously existing organizational structures and their concomitant institutional relations prove somewhat durable in their organization forms, even if such forms are detrimental to, or at least not as efficient for democratization and/or democratic politics. With respect to the news media, the most obvious example, raised earlier, is the maintenance of the state organizations that preside over the media. The Ministries of Culture, which during the communist period controlled national (state-run) broadcasting, were not dismantled, but rather continued in a renamed organizational form. Given the continued life of the organization, and absent some definitive reconstitution of the organization's work, it should be little surprise that this institution carries on its work in a similar fashion as it did during the communist period.

This brings us to the second way in which institutions, merely by their organizational presence and not their Leninist content, affect the politics of transition. When an institution maintains its organizational form, and carries on similar functions (at least for a short time), changes made to the institution (absent thoroughgoing legal reconstitution) will not only be ad hoc, based on eliminating the most clearly communist aspects of the institutional behaviors, but will derive from the organizational forms of the institution itself. In other words, in the absence of complete reorganization, marginal changes to the unacceptable (i.e., "communist") organizational or institutional aspects will be all that occur. The popular political mandate was to rid the system of the state socialist elements. Beyond that, there exists little substantive agreement about what a politically reorganized democratic media institution should look like. So where an American analyst clearly sees the need to marketize media production (establish private television stations, eliminate the government bureaucracy that maintains some control over content), the politicians in East and Central

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Europe have more frequently assumed control of slightly modified state-run communist-era institutions. It took 7 years, for instance, to negotiate the terms by which the first private television station would be established in Hungary, one of the countries most economically and politically ready for such a development.

In short, the post-communist politicians of Eastern and Central Europe have only slightly modified the existing organizational frameworks of the news media, and have fit these into their own conceptions of politics and institutional relationships. The result is that these institutions, with a history of service to the state and the political actors that constitute the government, are subject to strategic exploitation by current democratic politicians. When these institutions are not given a clearly reconstituted mandate for their new democratic behavior, they become targets of opportunistic political exploitation. In other words, the absence of a definitive reconstitution of the existing institutions, in both organizational form and substance, has important consequences for the process of democratization and democratic politics. We proceed now to a more thorough specification of existing institutions and their influence on the interregnum and the subsequent democratic politics.

Transitions and Continuity

The main focus of this work is on institutions. The reconstruction of institutions and the future political outcomes they generate and affect are a critical function of the political choices, made or ignored, during the bargaining over the democratic agreement. The transitions approach implicitly recognizes this importance of institutions, including even their ability to constrain politics. According to the transitions logic, both possible processes of democratic transition--extrication (negotiated withdrawal of the authoritarian regime) and constitution (of a new regime by the proto-democratic opposition forces)--yield inadequate democratic institutional reconstruction. Extrications (pacts, to Di Palma) leave

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institutional traces of the old regime, since part of what the old regime demands in return for its liberalization or withdrawal from power often includes a continued presence in the new regime. In newly constituting a democracy institutional construction is often hasty and incomplete.[20]

In both cases on-going conflict ensues over the institutional procedures of the subsequent democratic system. There are two important points to be made about this conflict over institutions. First, the relevant political actors in society *do not* all fully accept the institutional procedures that exist, rather they try to change the institutional arrangements and/or to exploit them for political advantage. The inter-temporal perspective, which is supposed to moderate political behavior by allowing the opportunity to reenter the political scene even after a "loss," does not completely eliminate the self-interested political actors' abilities and willingness to exploit, manipulate, or otherwise change the institutional arrangements for their own benefit. Second, the prospects for such manipulation are greater with respect to less than definitively reconstituted existing institutions than with rule-bound new institutions.

Actors' Motivations, Opportunities, and Constraints

At this point it is important to recall the difference between actors' incentives during the process of the democratic bargaining, and during the actual political game that they participate in subsequent to the democratic agreement. Actors' willingness to agree generally to the democratic bargain does not necessarily transcend their willingness to exploit, when they are able, manipulable institutions for their own political gain. While

20. Adam Przeworski, *Democracy and the market : political and economic reforms in Eastern Europe and Latin America* (Cambridge, England: New York: Cambridge University Press, 1991), see pages 67-78.

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political actors may be much less able to capture and manipulate institutions for short-run advantage, there is political benefit to be achieved by ensuring that the reconstructed democratic institutions will more likely yield the actor's preferred outcomes. In the absence of specific reconstitution of an existing institution, like the news media, the opportunity for exploitation of the institution, as an influential factor in political outcomes, is greater than when considering brand new institutions (like elections), especially since they tend to deal only with particular, fixed, discrete circumstances or functions.

The nature of this on-going conflict over institutional arrangements is the critical issue. While Przeworski clearly points out the permanence of the conflict over the substantive output of institutions, he does little to illuminate either the problem or its solutions. Moreover, he, like most scholars of the transitions approach, ignores the prospective change in actors' incentives from the bargaining to the actual execution of politics subsequent to the previous rule-making. The interregnum, in other words, is left unaddressed.

Przeworski claims that democracy is not a social contract with a sovereign or a state, because that implies forced compliance. Democracy, rather, is a set of institutions that motivates actors to comply out of their own best interest. These institutions must assure all the relevant political forces some minimum probability of "winning" (i.e., achieving their preferred outcome), and, hence, of improving their material position (by the ascendance of their political preferences). By providing this probability (greater than 0, and less than 1) of political success, the institutions generate in political actors an inter-temporal perspective that keeps them in the game.[21]

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21. Ibid. With respect to compliance see page 23. For a discussion of probabilities of actors achieving their objectives and compliance with outcomes see pages 26-34, the discussion entitled "Democracy as an Equilibrium."

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The features of these democratic institutions are critical, as Przeworski points out, because of two important potential problems. The first problem revolves around whether there actually are any institutional arrangements that "will evoke spontaneous and decentralized compliance once they are established."[22] The second, according to Przeworski, is whether such institutional arrangements, assuming they exist, will be the equilibrium outcome of the negotiation of the transition. For the hypothesized outcomes of this institutional creation we must turn to Przeworski's discussion of "constituted transitions." Przeworski uses the term to mean the process of democratization that occurs specifically following the collapse of the authoritarian regime, wherein the democratic bargainers are all from the opposition and no incumbent actors participate in the transition. But, when we disaggregate the process of bargaining from the politics of the interregnum and reintroduce the problem of transforming existing institutions, the idea of "(re)constituting" institutions becomes relevant in all transitions.

In general terms, the object of Przeworski's hypothesizing is the determination of the likelihood that the democratic bargain will yield durable democratic institutional arrangements.[23] The three critical factors are the balance of political forces, the comparative political power of the bargaining actors, and whether the actors can discern the balance. From these elements Przeworski offers 3 hypotheses about probable outcomes. When the balance of political power is uneven, and this is known to the bargaining actors, the institutional arrangement that comes out of the democratic bargaining will be "custom-made for [the] particular person, party, or alliance"[24] with the dominant power. Such

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22. Ibid, 39.

23. Ibid, 26.

24. Ibid, 82. See, in general, pages 82-88.

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institutional arrangements, even if embodied in a constitution, can only be expected to last as long as the balance of political forces that generated it last.

In the event that the balance of political forces is known and even, the bargainers will opt for a "temporizing" solution to the question of institutional arrangements. Some sort of interim institutional solution is better than on-going conflict, with the specter of civil war a real possibility. It is in this scenario that Przeworski indirectly hints at, but ignores, the inherent tension between organizational imperatives and political actors' desire for change. He describes the likelihood that in subsequent rounds of the execution of the temporizing institutional arrangements the losing actors (who might be systematically disadvantaged by the particular arrangements) will reassess their valuation of those institutional arrangements. At the same time he asserts that coordinated solutions, such as these temporizing institutional arrangements, are unstable under conditions of conflict. He only slightly qualifies this assertion by noting that "institutional change is costly," and that "some institutions are around because they have been around for a long time."[25] He claims that such insights into institutions do not provide an understanding of why constitutions, or any agreed upon set of institutional arrangements, would fail. On this point he is wrong. If we accept that change is costly and that institutions have staying power, or, to put it more loosely, institutional change is difficult, then it becomes clearer that inadequate institutional change (toward a democratic reconstitution) will eventually result in that institution's inability to adequately perform its democratic functions. Here again we see that the difference between crafted institutions and reconstituted existing institutions is crucial.

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25. Ibid, 86.

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Finally, when the balance of political power is not known, according to Przeworski, the timing of constitution writing is critical. (Again, the focus is on the crafting of new institutions.) Elections that precede constitution writing can clarify the balance of political forces, and we return to the situations described above. When elections do not clarify the balance, or when the constitution is written first, actors know little about the comparative political power, and they opt for "institutions that introduce checks and balances," and "provide guarantees against temporary political adversity."[26] These institutional arrangements are more likely to be "stable across a wide range of historical conditions," because they "reduce the stakes of competition" by making it tolerable to "lose" in a given round.[27]

In the domain of actors creating new democratic institutions, Przeworski and the other transitions scholars adequately explain the way in which institutional rules can bind actors to accept outcomes they would not prefer (i.e., to accept losses). But the transitions scholarship cannot be so persuasively generalized to the domain of the reconstruction of existing institutions. I have thus far tried to elaborate this claim, and the differences between the two seem reflected (though not verified) in the lexical choices Przeworski and the others make. When discussing the process of institution building in the transition, Przeworski repeatedly refers to the "adoption" of new institutions. In the current study we focus on the "adaptation" of existing institutions. Przeworski and the transitions scholars are addressing a different political process than is being analyzed here. Their hypotheses, in other words, are not applicable to the circumstances of changing existing institutions.

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26. Ibid, 87.

27. Ibid, 88.

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As I have earlier argued, the role of preferences for outcomes is much greater than the transitions scholars allow, and as Przeworski has constructed it he underestimates the importance of political actors' preferences, their exercise of political strategy--even if wrong or bad strategy--their potential willingness to create institutional structures that would favor their own preferences, and their willingness to exploit slow-changing institutions. For, it is also plausible that actors who would otherwise be willing to use authoritarian measures to achieve their goals can achieve nearly the same objectives under certain democratic institutional arrangements. There would be no need, in other words, to revert to authoritarianism to achieve some approximation of their political goals. As the case of the news media presented in the current research will attempt to show, actors can get institutions to perform rather undemocratic functions, even within the bounds of the agreed upon democratic procedures, when that agreement is broad and vague in its delineation of changes to existing institutions.

The Interregnum

Since he does not address the democratic interregnum--the period between the first agreement on democratic principles and the first formal execution of those principles--Przeworski misses the opportunity to fully explicate issues concerning institutions that generate compliance and the likelihood of establishing these institutions out of the democratic agreement. For, if he had examined the interregnum, he would have seen that, even assuming that the equilibrium outcome of the democratic bargaining is some form of a democratic institutional arrangement, two important things occur during the interregnum period that hinder the democratic reconstitution of existing institutions.

First, the interregnum offers an opportunity for political actors to influence the outcome and shape the characteristics of the institutional arrangement, such that the execution of the

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actual institutional mechanism (in equilibrium) looks different from what the actors had earlier agreed on and envisioned. Przeworski unknowingly raises this prospect in his hypothesis that political forces known to be balanced can lead to conflict that is temporized by acceptance of some form of democratic arrangement. The systematically disadvantaged actors will reassess their commitment to institutional arrangements that continually generate losses for them. What I mean here is that actors may agree on a specific institutional arrangement (say, free elections six months hence for half of the seats in Parliament), but dominant actors, or those who aspire to dominance (meaning all actors) will use other institutional mechanisms, ones that have not been subject to specific democratic bargaining, to influence the outcome of the operation of the agreed upon democratic mechanism. There is nothing wrong with this sort of political competition, unless some actor(s) perceive that they have been systematically disadvantaged in some way that they were not aware of at the time the bargain was struck.

Here again the focus is on the maintenance of forms and behaviors of the existing institutions. The continued control of television by the state in Russia, for instance, has created a situation in which an apparently ailing incumbent president was able to control and orchestrate the visual image provided to the population before the election. This mechanism, employed in favor of Boris Yeltsin, arguably had some impact on voter choice, and it is unimaginable that competing politicians expected, or desired, that they would be so disadvantaged by an institutional mechanism that exists primarily by virtue of the political inertia of changing existing institutions. Given the prospect that the unforeseen advantages somewhat alter the procedural outcomes of the institutional arrangement, it seems quite plausible that the now disadvantaged actors, who would be willing to accept a "loss", but not systematic disadvantage in the political process, would likely have pursued an alternative institutional arrangement in the original democratic bargaining. In the

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formulation of the transition that compresses out the interregnum this potential problem never arises.

Second, during the interregnum, institutions are continuing their political functions, even if these have not been reconstituted in the new democratic politics. This institutional continuity forces future political choices to confront the already existing institutional structure. Institutional reconstruction, in other words, is not from whole cloth, but from the materials which remain from the original institution. The uncertainty actors face about their political prospects under the new democratic institutional rules, which Przeworski claims is supposed to generate the checks and balances kind of institutions, may likely be less preferable than certain, though undemocratic institutional rules, and therefore detrimental to the long-term prospects for democracy. If the actors could foresee, or at least think about, other prospective institutional consequences, besides the ones they were explicitly bargaining over, they might have fought harder for a democratic agreement that made clear the institutional checks and balances. In other words, if they could have seen the institutions that might be used against them, they would have fought to have those explicitly democratized (exploitability by competing actors eliminated), too.

Organizational Resources: Explaining the Politics of Reforming Existing Institutions

It is all too clear, though, that little bargaining over the transformation of existing institutions (other than the security apparatuses, both internal and external) occurs. Recognizing this, I offer hypotheses to complement Przeworski's. The crucial aspects of these hypotheses are the difference between existing and new institutions, and the difference between existing (what were) state institutions that are reconstituted as independent institutions and those reconstituted into a reformed version of a state institution. The process of news media reform should fall into the former category, but in

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many ways political actors seem to assume the latter is reasonable (particularly with respect to electronic media).

Deriving from the emphasis on the political opportunities embodied in the existing institutional relationships I call this conceptual approach the "organizational resources" framework. The first hypothesis involves a reconsideration of the transitions hypotheses offered by Przeworski.

> The process of creating new institutions will focus initially on event-based institutions (elections, the rules of parliamentary voting), while reconstituting existing institutions will generate persistent political conflict in which actors seek to maneuver institutions to serve their own preferences and goals.

When new institutions are constituted in the bargaining over the democratic procedure, there is a far greater (in comparison to reconstituting existing institutions) probability of getting a precise and definitive institutional arrangement that the bargaining parties, now democratic politicians, cannot renege on. We should, for instance, see specific rules, written agreements, constitutional changes, or laws outlining the specific (new) institutional procedures to be invoked. By contrast, efforts to change existing institutions, which are embodied in a range of conventions and even formal rules that dictate and constrain behavior, will generate much political conflict, but little articulation of such laws, rules, or codified agreements as we see with new institutions.

The transitions logic is clearly instructive on this difference. When an institution such as an election, or electoral rules, has been established and made public, all the agreeing parties are constrained from opting out because to do so would discredit them, practically ruining any future prospects in subsequent rounds of the democratic procedure. Examination of these phenomena are extensive. I choose then to focus on the following hypotheses.

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The second hypothesis addresses existing institutions.

> When existing institutions must be reconstituted, institutional change will be unclear, imprecise, and most importantly, not definitive.

This is reflected in the relative absence of agreement on legally binding institutional change, and occurs because of the lower popular demand for specific changes to the existing institutions. The establishing of free elections, heretofore unheard of in East Central Europe, is much more salient than arcane decisions about how the news media should carry on its daily political functioning. In other words, the lower popular payoff means less incentive for the bargaining actors to confront the specifics of transforming existing institutions. The result is that changes to existing institutions are less likely to be bound by specific rules (e.g., the simple non-enforcement of the periodical registration law), so "transgressions" against the democratic procedure, such as it is, are less clearly identifiable. Political actors will not renege, in the strict sense of the word, on the democratic agreement, because there is no agreement on which to renege. In the absence of specific rules that bind expectations and behaviors, actors are able, though, to exploit and manipulate the institution in sometimes undemocratic ways. (Whatever advantage with the media that incumbency might grant to an American president, it is nothing compared to having actual control over a bureaucratic apparatus that sits atop, in the case of Eastern and Central Europe, national TV and radio.)

A corollary to this hypothesis on existing institutions involves the organizational forms that underlie these institutions.

> The organizational forms that generate institutional relationships (of dependence, in the case of state socialist era news media) were available before the Leninist period to other political actors for similar political opportunism.

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Organizational structures like the national news bureau in Czechoslovakia (the CTK) have existed from 1918 to the present. And in each successive political upheaval the new dominant political forces exploited this organization and its institutional relationships when pursuing their political objectives. Broadcasting had been a state-run concern in Czechoslovakia since the 1920s also.

In Poland and Hungary the native organizational infrastructure of the media was effectively destroyed and replaced with a Nazi structure that looked remarkably similar to what the Soviets subsequently constructed. (The point of this comparison is to indicate that certain structural and organizational features of the Soviet system do bear certain similarities to the Nazi system, and that while the ideological legacy of Leninism matters, in some ways political actors seeking power, regardless of their specific ideological predilections, behave in similar ways and use similar means to achieve their goals.) In these two countries social legacies from a much longer past bore upon the expectations about the press in politics. Up to the early 20th century, politics and journalism were frequently intertwined, wherein politicians have used the press to pursue nationalist and anti-imperialist politics. We shall examine these trends and their implications for post-communist media reform in the next chapter.

Conclusion

Stephen Holmes argued in 1993 that the constitution-making process should be slowed down, and that stop-gap constitutional reform is not only acceptable but good, because the populations of the Eastern and Central European countries maintain a sense of political

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connection to the constitution-making process.[28] This, Holmes contends, would be best achieved by assuring the population that constitutional change will not proceed so rapidly as to undermine the population's sense that the system is being redesigned to serve their own political empowerment. Moreover, the people and politicians both need an extended learning period to discover what sort of democratic institutions and procedures they want to codify in a permanent constitution. Holmes rightly asserts that the main political task (at that time) "was the creation of democratic authority," and that reform has to be pursued while maintaining the confidence of the population. These premises are universally accepted to be true, and from these, according to Holmes, follow the need to slow down the constitution-making process.

The point of the current chapter, of this research, generally, suggests the contrary. Boosting "public confidence" in democratically reconstructed institutions may require fairly swift and thorough reconstitutionalization because a slow process might be more amenable to the kind of self-interested manipulation by political actors that undermines the popular support from which derives the legitimacy of the new democratic institutions. To establish "strong institutions" in a system that is both democratic and authoritative, definitive rules about political roles are more helpful than long periods of political learning and slow constitution-making. Part of the learning that goes on, after all, is the way in which a less than fully (re)constitutionalized political system can be bent and twisted to satisfy short-run interests of particular actors. This process of what we might awkwardly call "not illegal political manipulation" rewards those who are more savvy, more aggressive, and most importantly, those who already hold seats of power. The latter, after all, make authoritative decisions, sometimes with the weight of the state behind them, that must often be simply

28. Stephen Holmes, "Back to the Drawing Board," *East European Constitutional Review* 2 (Spring 1993) 21-25.

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accepted, pending future court decisions or final constitutional settlement. In other words, those in power can sometimes exploit institutions with ill-defined political status and "get away with it," at least in the short-run, which may be all that matters to their political careers.

Though the emphasis on swiftness of reconstitution appears to comport with Di Palma, the argument offered here actually diverges from Di Palma. Specifically, I contend that rational political actors will use available organizational resources and institutional relationships to advance their interests, tailoring the democratic rules (and the relationships that follow from them) to suit their goals. Central to the current argument is the notion that the short-term manipulation by political actors goes beyond the short-term, becoming cemented in longer-term political relationships. Existing relations that might be thought short-term, until the issues are settled in a new constitution, usually become the focus of future bargains over what subsequently becomes the constitutionally sanctioned institutional rules and relationships. The existing institutional relations, in other words, are the starting point for considerations of change, and the actors that are now prospering by the existing organizational forms and institutional relations will fight to limit the severity of change away from the circumstances that now serve their own interests, or within which they at least know how to work. The prospect for change of an institution, say the presidency, then, diminishes both over time and in direct proportion to the significance of the proposed change. This is so because all actors who intend to continue in politics will resist the diminution of their own power, as vested in the institution in which they sit, or expect to sit.

In other words, the longer a particular president behaves a certain way, the more entrenched or institutionalized that political role becomes, making it more likely that any new formal constitutional provisions will remain fairly close to the existing political form.

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This is particularly true when the individual serving as president has some role, which every sitting president does, whether formally or informally, in the constitution-making process. The case of Lech Walesa is illustrative here. At the Roundtable with Solidarity, the Communist Party insisted on a strong presidency, which was also to be reserved for the party. When the Communist Party fared so badly in the first elections, making impotent their own president, and revealing the party's short future, the elements of a strong presidency remained. It was to this office that the tremendously popular Walesa was elected, and from there he proceeded to try to enlarge the power of his office.

This trend of political and organizational stasis is the focus here. As institutions and the actors that interact with them do so under a given set of rules, norms, and expectations, they are more likely to expect that set of parameters to persist. In fact, they have an interest in such persistence. Fairly predictable institutional actions are desirable, because this makes more rational the business of administration. Political actors also have a similar self-interest in institutional consistency. Knowledge of how an institution is likely to work determines how actors will "play" the political game. Moreover, as we have already seen, when political institutions serve the career interests of those with direct influence over them, those institutions are unlikely to be changed.

In this chapter I have reviewed the recent scholarly debates about the processes of political change and democratization. The contemporary argument revolves around the prospects for democratic transitions in East Central Europe. The transitions approach claims that new democratic institutions will be potent enough to transcend any authoritarian retrenchment. What I have called the Leninist legacy school asserts that the unique social, economic, and political characteristics of these Leninist regimes make them incomparable to other transitions from authoritarianism, as well as unlikely candidates for successful democratization. This is so, according to their argument, because the institutions of state

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and politics, imbued with Leninist "content," are constitutionally resistant to democratic transformation.

This study makes a third argument. The nature of institutions does affect the prospects for institutional change, and therefore of democratization. But in this respect the reconstituting of existing institutions differs from the original constitution of new institutions. Institutions as organizations, with a continuity of organizational imperatives, norms, patterns, etc., generate opportunities (by their available organizational resources) for political manipulation and control and set intangible, but significant, boundaries on the prospects for reform. It is the nature of political actors to use institutional political relationships in ways that serve the actors' interests. (Table 1 summarizes the three conceptual approaches.)

I summarize the "organizational resources" framework with the most basic of the hypothetical claims informing this study.

> If organizational forms and structures are not changed sufficiently to alter institutional relationships, political behaviors will not sufficiently change from earlier state socialist orientations to democratic dispositions.

In short, slow constitution-making (as preferred by Holmes) allows for the persistence of old organizational forms and their accompanying institutional relationships that grant the opportunity of (in this case) undemocratic political behavior and control. Faster (re)constitution, on the other hand, provides a better chance, but only a chance, of undoing the old institutional relationships and displacing the opportunity to exploit the attendant organizational resources.

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Table 1. Three Conceptual Approaches to Democratization

	Transitions Approach	**Leninist Legacy**	**"Organizational Resources"**
Conceptual Emphasis	Individual choices and actions	Institutional constraints	Individual action undertaken through instit'l opportunities
Institutional Emphasis	New, "crafted" institutions	Existing institutions, ideology	Existing institutional relationships
Significance of Institutions	Generate compliance with democratic outcomes	Hinder reform	Offer political opportunity to actors
Prospect for Institutional Change	Substantial	Negligible	Moderate
Source of Inst'l Change/Continuity	Agreement among individual actors (change)	Institutional inertia (continuity)	Individual self-interest acting on institutional "opportunity" (continuity)
Nature of Political Conflict	Actors' bargaining over institutional crafting	Leninist elites resisting change	Competing self-interest in "democratic game"
Threats to Democratic Stability	Authoritarian retrenchment	Institutional predisposition against democracy	Abuse of institutional "opportunities"

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CHAPTER IV

OF LEGACIES AND OPPORTUNITIES: CONTROL OF THE MEDIA AND THE PURSUIT OF POLITICAL OBJECTIVES BEFORE 1989

> We need complete, truthful information. And the truth should not depend on whom it is to serve. (V. I. Lenin)

Much of the history of the media, and the information they produce, in East Central Europe has been characterized precisely by issues of whom they serve. For most of the past 100 years (or more), the news media have been a tool of political actors, especially those seeking or sustaining dominance in national politics. Newspapers have been directly connected to political parties or to the government; broadcast media have been owned or controlled by the state; centralized bureaucracies have dispatched the "official" information of state actors; and political actors have generally sought to use the media to their own political advantage.

As I have argued earlier, the democratic reconstitution of existing state socialist institutions will be hindered by the political behaviors of the new elite as they seek to use, as their predecessors did, the organizational and political resources embodied in the rules, relationships, and roles that tie these long-standing institutions to other institutions and political actors. In short, establishing free and independent news media will be difficult, because the new politically dominant actors will try to use the media in ways similar to those of earlier politicians (democrats, republicans, fascists, or communists). We turn, then, to an examination of the historical trends in political control and manipulation of the

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news media and find that the Communist mechanisms and procedures for information and media control, while perhaps more comprehensively constraining, were manifestations of patterns that had persisted for some time before the Communist takeover.

Information media clearly were central to Communist Party political strategy in East Central Europe, but no more than to earlier political actors, including democrats and moderate nationalists. Lenin did deliver treatises specifically addressing the ways the party should use the media to further its ends, and Stalin did call the press the party's sharpest weapon. Control and use of the media, in fact, were elements of the party's program for seizure of political power. But the structure of this pillar was not something newly built by the Communists. In each country certain institutional or political features pre-dating the Communist take-over were, and still are, available for deployment on behalf of the political objectives of dominant actors.

Certainly, the experience of 40 years of Soviet Communism has affected the nature of media politics in East Central Europe. But the most important consequence of the Soviet experience may be that it extended and perfected a long-standing structure and attitude of media dependence and subservience to political actors.[1] It is less the specific Marxist, or socialist, or Leninist "content," or constitution of the media that matters than the dependent political status in which the media were held. Undoubtedly, the Soviet media system was the longest lasting of the past 150 years, but it was no less pervasive or constraining than, for example, the Nazi information system. Further, the program of deploying the media on behalf of one's own political objectives (usually nation and/or state-building) was common to authoritarians and democrats alike. Basically, from Hungarian and Polish nationalists of

1. Vladimir Tismaneanu similarly speaks of the way that ethno-national differences were simply held in place during the 40 years of state socialism. See his *Reinventing Politics: Eastern Europe form Stalin to Havel*, (New York: Free Press, 1992), chapter one.

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the mid-1800s and Czechoslovak nation-state-builders of the 1910s, through the Nazis and the Communists, right up to the post-communists, political actors have sought influence over the media as a means of pursuing their particular agendas. In the current work, I contend that this broader historical persistence of opportunities to exploit organizational resources, rather than Leninism per se, will hinder the realization of fuller independence, or "democratization," of the media. In order to comprehensively elaborate the contemporary expressions of these patterns, I will illuminate the broader historical arc of media politics in East Central Europe

Pre-1945 History

The historian Philip Longworth has asserted that the current differences in the political circumstances of Eastern Europe and Western Europe resuited in part from fundamental social and political differences that go back as far as the "Dark Ages." His basic argument is that Western Europe experienced an early separation between religious and secular power, which allowed for the formation of independent political institutions through which the population could pursue and exercise authority, while in Eastern Europe royal absolutism was sanctified by a nearly total interconnection between the church and the state. Clearly, Western Europe experienced bouts with absolutism, but according to Longworth the sources of opportunity for politically independent authority were available in the West but absent in the East.

Longworth goes as far as asserting that early Orthodox ascriptions of near divinity (going beyond being divinely chosen) to the Emperors generated a wider gap between the sovereign and subjects than existed in the West. One consequence of this 1500 year old pattern is the persistence of the "popular notions (much in evidence in the late 1980s and early 1990s as well as in the 1930s) that spiritual and temporal power are indivisible, that

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morality, rather than sound policies...is the litmus test of good government."[2] In short, nation and state-building in Eastern Europe were both processes that political elites commandeered by linking their own political dominance and authority to the sanctification of the state itself.

Journalists, or writers, helped in this process of fusing the particular political elites' identity with the very notion of the ideal state and the process of its building. Discussing Poland, Tomasz Goban-Klas writes of the 200 years of tradition in which "[j]ournalists, when they could, tried to be leaders in national culture and language."[3] And Jane Leftwich Curry, writing about Poland, could be speaking just as much of Hungary in the mid-19th century or of Czechoslovakia in the 1920s when she asserts that the "idea of intellectuals as preservers of the national consciousness continued to be crucial to the journalists' self-image even in the Communist era."[4] A journalistic sense of the professional responsibility to the spirit of politics and the identity of the nation, in other words, has a long history in East and Central Europe.

Longworth points out that throughout the history of much of East Central Europe there has been an impulse toward not only sanctifying the national identity in the union between the state and the church, but using journalists/writers to contribute to this cause. This trinity of ethnic national politics has left a legacy, according to Longworth, in which "legitimate government represents a divine order"[5] --realized by the true and full expression

2. Philip Longworth, *The Making of Eastern Europe* (New York: St. Martin's Press, 1992), 268.

3. Tomasz Goban-Klas, *The Orchestration of the Media: The politics of mass communications in communist Poland and the aftermath* (Boulder, CO: Westview Press, 1994), 42.

4. Jane Leftwich Curry, *Poland's Journalists: Professionalism and Politics* (Cambridge, England: New York: Cambridge University Press, 1990.)

5. Longworth, *The Making of Eastern Europe*, 269.

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of the nation, and makes for inevitable disappointment as the distorted expectations of following political "saviors," rather than political programs, are continually forced to yield to the all too common flaws of secular political life. This process in which political elites attempt to, in a way, reify themselves as the embodiment of the "better" state has persisted most clearly in Poland for hundreds of years, but for the last eight years has been reflected in political actors like Vladimir Meciar in Slovakia, Istvan Csurka in Hungary, and Lech Walesa (and others) in Poland. Clearly, to the extent that this process continues, the reconstruction of free and independent news media, as we define them in the West, remains problematic.

Media Before Communism

The histories of Poland, Hungary, and Czechoslovakia all exhibit important trends that affect media or journalism that both predate and influence the course of media processes in the state socialist and post-communist periods. While the specific historical circumstances vary across countries, the basic trend was one in which the media (press and radio) were not independent, but were interlinked with other official or partisan political actors. Such political affiliations may not necessarily be a problem, though, when we consider that we are viewing these historical relationships from a period *after* the specific delineation of the responsibilities of an independent media in American society.[6] Political partisanship was also common in the Western press in the early part of this century, and holding other countries to expectations of political and social development that the more "advanced" West has only since achieved will invariably cast them in a negative light. On the other hand,

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6. It was not until the late 1940s that the recommendations about the ethic of objectivity in American journalism were put forward by the Hutchins Commission.

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specific institutional connections to the state, and laws restricting expression, both of which have existed throughout much of East Central European history, are clearly anathema to the most basic traditions of press freedom.

Prior to the state socialist period the presses were connected not only to political parties, but to the government, or both; the radio was either state-controlled or state-owned. Furthermore, the state or government often ran an information service, from which a substantial portion of news and information was collected and through which most of it was also disseminated. In short, the media were highly connected, both formally and informally, to the state and the dominant political parties that filled state positions.

Historical similarities such as state control over information production and distribution existed prior to 1945, and were finely honed and systematized across countries during the state socialist period. With respect to the media, then, in the post-communist period actors across the region were confronted with a similar institutional structure and rationale. On the other hand, specific pre-1945 institutional features unique to each country also constructed different constraints and opportunities for political actors both during, and more importantly after, the state socialist period.

In Czechoslovakia, for instance, strong state involvement (including ownership) in media and journalistic responsiveness to the state both developed as early as the years of the First Republic in the 1910s and 1920s. Poland, on the other hand, had a long history of independent press, which was completely eradicated by the Nazis during WWII. In other words, the institutional architecture preferred by the communists for executing their media strategy was already in place in Czechoslovakia but had to be reconstructed in Poland. During the state socialist period, then, both countries looked institutionally and procedurally similar, but below the surface they had different histories that have now reemerged, somewhat, in the process of democratic transition from communism. The

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patterns of state ownership remain in Czechoslovakia, for instance, while in Poland there is an emphasis on reconnecting the media to the project of defining and strengthening the Polish nation. These are degrees of variation, however, in the basic pattern of post-communist political elites tactically redeploying the media (and other extant institutions) to achieve their own political objectives, many of which violate the norms of democratic procedure. To get a sense of how this reconstruction proceeds in the 1990s, then, we need to understand both the pre-communist and communist legacies on the media.

Media in the Czech Lands and Slovakia Before Communism

The first time Czechoslovakia was united, in the First Republic (1918 to 1938), the media (press and radio) had strong institutional connections to the state. While most of the details of politics and government in this period fall outside the bounds of the current study, media politics in this period set important precedents for relations between the media and the state in the subsequent periods of Czechoslovakian history. In the First Republic the media were subject to control or monitoring by either the state or specific political parties, or both. We shall see, in fact, that some of the kinds of relationships and roles of the press that either existed or developed in the First Republic persisted through WWII, through the Third Republic, through the People's Republic, and beyond the transition to democracy in 1989.

Upon the creation of the Czechoslovak republic on October 28, 1918, the politically oriented press was immediately transformed from nationalist opposition (primarily to Austrian and Hungarian rule) to supporter of the new state. According to Owen Johnson, the press "was perceived as having helped state-making (before 1918)," and "the new political leaders assumed that it would also help build the new state" even though, according to Johnson, non-partisan commitment to public affairs journalism would have

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been more useful for the new democratic state.[7] The press, in other words, chose or was encouraged to become a "state-creating" institution, supportive of and responsive to the new political actors and institutions of the newly created Czechoslovakia.

For instance, in the First Republic the Ceskoslvenska Tiskova Kancelar (CTK), the main source of official news, was an agency controlled by the Office of the Council of Ministers. The news agency's main function was to supply Czech and Slovak newspapers with official government information. And though the agency was supposed to be a self-sustaining commercial organization, it always required state subsidization. While this does not indicate specific state control over media content, the central place of the CTK in the information system has made it, at times, a tool employed by the state in order to control the content of information.[8] Moreover, as the flow of politics proceeds into the 20th century we shall see that the organizational form of the CTK remains, always available for the job of supplying "state-creating" information systems for whichever actors controlled the state (and thereby the CTK).

The role of newspapers also bears a legacy from the First Republic. The Office of the Council of Ministers published its own daily newspaper, while the various political parties, including the Communist party, published their own papers. Even before the First Republic, when Slovakia was controlled by Hungary, several Slovak newspapers were published by Hungarian state authorities to counter the nationalist orientation of Slovak

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7. Owen Johnson, "Unbridled Freedom: The Czech Press and Politics, 1918-1938," *Journalism History* 13 (Autumn-Winter 1986), 98.

8. Rudolf Sturm, "Propaganda," in *Czechoslovakia,* Vratislav Busek and Nicolas Spulber (eds.), (New York: Published for the Mid-European Study Center of the Free Europe Committee by Praeger, 1957), 101-102.

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publications.[9] The existence of government newspapers and party-sponsored or party-centered newspapers is not, in other words, a unique feature of the state-socialist system.

Radio was also controlled by the state as early as the 1920s. While a private corporation was the first to win a broadcasting license, the government quickly became the majority partner (51%) in the corporation, and was represented on the corporate board by the Office of the Council of Ministers, and several other specific ministries. Not only did the state influence radio programming, it also knew who was receiving that programming. All owners of radio receivers were required to obtain a license for their radios by paying a small monthly fee to the Ministry of Posts.[10]

When the Czech lands were occupied by the Germans during WWII the information infrastructure required little change to meet the German propaganda requirements. The CTK now distributed German dispatches, instead of Czechoslovak government information. The single totalitarian party forged by the Germans took over control of all newspapers, which until then had been presumably the assets of either the state or now defunct political parties. In short, the Germans simply took over a centralized and controllable information distribution system, and fairly easily redirected it to their specific needs.

The Slovak state was nominally independent and not occupied by the Germans, but linked itself and its fortunes to the Third Reich, and the information structure in Slovakia was similar to that of the occupied Czech lands. In Slovakia, the state Office of Propaganda assumed control of all media of communication, and the lone remaining

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9. Owen Johnson, *Slovakia 1918-1938: Education and the Making of a Nation.* (Boulder, CO: East European Quarterly. Distributed by Columbia University Press, New York, 1985), 40.

10. Sturm, "Propaganda," 101-102.

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political party joined with the government in carrying the standard of Slovak national and state ideology.[11]

Throughout Czechoslovakia's history from 1918-1948 the media were institutionally connected to either the state or political parties or both. In the most extreme times this enabled the state to employ the media as a mechanism of propaganda, but even in more moderate times this made the media subject to state influence over information. Moreover, an organizationally constructed relationship between the media and the state erodes the boundary between the two, a boundary which is required for the effective functioning of media independence that is part of democratic politics. As the current study contends, reestablishing (or establishing for the first time) this boundary by undoing the existing organizational relationship of the media to the state is difficult to do since state and political actors ultimately prefer to have some influence over information and so are likely to try to maintain the useful institutional connection with the media.

Media in Poland Before Communism

Poland's media experience before communism differs substantially from Czechoslovakia's. Where the Nazis simply took over the existing media institutions and structures in the Czech lands (and got Slovakia to voluntarily submit to the German line), the healthy and relatively independent Polish press had to be eradicated by the Germans. In 1937 there were nearly 2,700 periodicals published in Poland, including 184 daily newspapers, 47 in Warsaw alone.[12] In the western lands annexed by Germany the information system became a part of the Reich's already existing information infrastructure.

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11. Ibid, 103-105.

12. Marian E. Rojek, *Freedom of the Press in Poland* (London: Union of Journalists of the Republic of Poland, 1946), 6.

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(This takeover included some removal of capital, including printing presses.) In the smaller region occupied by the Soviet Union, the media were subjected to Soviet control.

In the Generalgouvernment (the geographic middle of Poland, which included the Warsaw, Krakow, Lublin, Radom, and later Galicia Districts), a sort of stateless area between the occupied German and Soviet regions, the Polish press was totally disbanded, according to the plans laid by Goebbels and executed by Hans Frank, Governor General of the Generalgouvernment (GG). The immediate post-invasion (September 1939) plan, as Frank understood it, was to "impoverish the region (of the GG) mercilessly as a war area and country of plunder, to wreck its economic, social, cultural, and political structure."[13] By early 1940, as the complete absence of information sparked wild rumor among the population (e.g., that the French had advanced on Berlin) and German officials saw the need to maximize the Reich's economic gain from control over the GG, it became clear that some information must be made available to the population. Accordingly, nine newspapers for the whole area of the GG were reintroduced, and loudspeakers (instead of radios) were set up to provide information and issue instructions to the population. The thrust of this information and propaganda was that Poles had no future as "Poland," and that Germany would inevitably dominate them and Europe.[14]

Some of the Nazi institutional structures designed to implement this information strategy bear striking resemblance to subsequent Communist media institutions. For instance, the Nazis established a Department for Public Enlightenment and Propaganda, one of the largest organizations in the GG, which controlled all publications, and monitored

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13. See Lucjan Dobroszycki, *Reptile Journalism: The official Polish-language press under the Nazis, 1939-1945*, translated by Barbara Harshav (New Haven: Yale University Press, 1994), 47.

14. Ibid, chapter 4.

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Polish public opinion by tracking the clandestine press.[15] The head of this Department from early 1941 to the end of the occupation was Wilhelm Ohlenbusch, a dedicated party man.[16]

One of the more important units in the Department was the Telepress[17], which was the primary source (at least through the middle of 1941) of information for the GG. Much of this information was collected from Berlin and Telepress "journalists" in various agencies in the government, and was edited by the German editors.[18] It was typical that stories emanating from Telepress would be reprinted almost unchanged in the newspapers of the GG. As we shall see, performance of this centralized information system is very similar to that of the Soviet model, indicating that the political organization of the media in this way may be a general characteristic of totalitarian movements--as different as Nazism and state socialism were.

Beyond this, however, the vibrant and relatively independent Polish press was almost completely eradicated by both German and Soviet occupation. In both regions, similar information and propaganda systems were created in which newspapers and radio were

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15. The underground press was an important feature--to the Poles and the Germans, of Polish life during the occupation. Over 200 underground periodicals (usually weekly or bi-weekly) were printed during the war, 100 of which were published through the entire period of the occupation. The weekly of the Polish Home Army had a circulation of 30,000, out of a total underground press circulation of up to 150,000. The Nazis monitored these papers to maintain a sense of the population's mood. See Rojek, *Freedom of the Press in Poland*, 8.

16. Dobroszycki, *Reptile Journalism*, 50-52.

17. Telepress was the Nazi era name of the Polish Telegraphic Agency, created in 1918. President Lech Walesa helped the contemporary version of the agency, PAP, celebrate its 75th anniversary in 1993. See "Walesa Visits PAP on 75th Anniversary," *Foreign Broadcast Information Service Daily Reports* (hereafter *FBIS*), December 12, 1993, 15.

18. Dobroszycki, *Reptile Journalism*, 80-81.

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deployed on behalf of the ruling party, and no other voice was allowed to speak. It was into essentially a news media wasteland that the Soviets marched at the end of the war. With little institutional or organizational network to overcome (except the physical control of the printing press) the Soviets easily replicated their media system in Poland.

Before the communist takeover in Poland, journalists/writers participated in the social and political project of creating and nurturing Polish national identity. While there existed a relative abundance of independent media outlets, in the main they were committed to this project. The state socialist regime held the same expectations, though with a different definition of Polish statehood, and specifically directed and controlled journalistic energy in pursuit of this objective. In general, then, the political status and role of the media did not significantly change from the pre-communist period to the communist period, and I argue that this status will remain essentially intact in the post-communist period where new political elites will now aim the long-dependent media at their own political programs.

Media in Hungary Before Communism

Like Poland, Hungary had relatively free press at some critical junctures in its history. Unlike Poland, Hungary's immediate pre-WWII experience was one of greater media constraint. In Hungary's failed revolution of 1848-49, the press experienced a degree of freedom that was fairly uncommon for Hungary and indeed for much of Europe to that point. The first of the Twelve Points issued by the revolutionaries said, "We demand abolition of censorship."[19] That was quickly achieved, but subsequent Press Laws (promulgated within weeks) fell short of thoroughgoing press freedom. While the law guaranteed the right for all to "express and freely disseminate their ideas through the

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19. Domokos G. Kosary, *The Press During the Hungarian Revolution of 1848-1849* (Boulder, CO: Social Science Monographs, 1986), 25.

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medium of the press,"[20] it also described, in very general terms, a series of limits on that freedom. Substantial fines and/or prison sentences (six months to six years) could be imposed on anyone who incited the public to a crime or a violent breach of the peace, ridiculed public morality or religion, insulted the person of the king, or libelled authority. The law also required that newspapers be registered with the state, and that publishers present 10,000 forints in "caution" money, from which any of the fines described above might be taken.

Two important features emerge from this early effort to free the press in Hungary. First, the same demand for abolition of censorship persists right up to the post-communist period. Second, the language of the law securing press freedom is strikingly similar to some of the most recent press law adopted in post-communist East Central Europe. The freedom to express and disseminate ideas is frequently granted today, as it was 150 years ago, but then as now, the state reserves the power to set boundaries on that freedom.

Another element of the politics of the press from the 1848 period deserves brief mention. The line between publisher and politician was highly permeable, eroding the independent status of the press. Lajos Kossuth, the dominant figure in Hungarian national politics during this period, was a journalist before he was a politician, and during the revolution he started a newspaper when he thought it might serve his ends. Various other political actors worked for or edited newspapers, and several newspaper publishers sought and won seats in the parliament.[21] Again, in the context of the time, this may not have been unusual, but the acceptance of this crossover (or at least the indistinct line between journalism and advocacy) has carried forward to today, when the operational requirements

20. Ibid, 38. Further details highlighted in this study can be found in Kosary, pages 32-43.

21. Ibid.

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of freedom include independence from external affiliation; and the line between journalism and politics remains indistinct.

In Hungary's next failed revolution--of 1918--the press was given a central place of authority by the new revolutionary government. Three seats (out of 20) on the temporary National Council were granted to representatives of newspapers. Following that revolution's ultimate failure, however, the members of the press were criticized and marginalized by the ascendant rightists. Throughout the remainder of the inter-war period there was a broad political spectrum represented in the press (conservative, liberal, Catholic, monarchist, etc.), but dissent was only cautiously undertaken.[22]

By the early 1930s the so-called Government Party (which had highly flexible politics and appears to have maintained only the interest of securing its own power) had created an official newspaper, *Fuggetlenseg*, as the mouthpiece of the party, and a nominally independent paper, *Uj Magyarsag*, to expound ideology.[23] The independent press was tolerated, but only insofar as they took care not to overtly criticize the regime, especially by the late 1930s when Hungary had a difficult balancing act between its own independence and German demands for cooperation. The Germans supported the right wing press in Hungary and by 1939 both the right wing and official press were instructed to support Germany's position against Poland, and Germany's position as the ultimate arbiter of social and political issues in Central Europe. During this period Prime Minister Pal Teleki adopted a policy to "say everything the dictators wanted, but do nothing."[24] Shortly, even

22. Andrew C. Janos, *The Politics of Backwardness in Hungary, 1825-1945* (Princeton: Princeton University Press, 1982), 215.

23. C.A. Macartney, *October Fifteenth: A history of modern Hungary, 1929-1945*, second edition (Edinburgh: University of Edinburgh Press, 1961), vol. I, page 119. For further discussion of the Government Party (or Party of National Unity), see vol. I, chapter III.

24. Ibid, vol. I, 353.

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many of the nominally independent papers began to parrot German propaganda,[25] though through the early part of 1944 the wide political range of newspapers, even some mildly critical of Germany, was still tolerated.[26]

By early 1944, however, the media institutions in Hungary had been razed the same way they had been in Poland 5 years earlier. While German forces had occupied Hungary, the Government party still ran the Hungarian state. By now, however, complete submission to German demands was inevitable. In March, the press, the Hungarian information service, and the radio were all put under the control of M. Kolosváry-Borcsa, an extremely anti-Semitic, anti-Liberal right-wing member of the Government Party. Newspapers and news services were shut down, the organs of the left-wing or Liberal orientation completely vanished. As in the GG in Poland, Hungary was left with a mere handful of newspapers and radio completely reliant on and subservient to the state and the party running it.

Summary

If we were to draw a composite of the pre-Communist media experience in Czechoslovakia, Hungary, and Poland it could be summarized as one of media dependence on the state or government, and the parties seeking to run it. Undoubtedly, the level of media dependence is relative. Even in the United States the media sometimes exhibit a self-imposed dependence, so comparative assessments of dependence would fit on a continuum between relative independence and relative dependence. The levels of independence seen in Western media systems today, however, have resulted from an evolutionary process that

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25. Ibid, vol. I, 374.

26. Janos, *The Politics of Backwardness in Hungary*, 306.

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was blocked in East and Central Europe. Dependence that existed in the early part of the century or was created by the Nazis was reinforced and institutionalized by the Soviets. As a result, the "natural" development of greater media freedom was stalled, overwhelmed by yet more rigorous political controls.

Throughout much of the East and Central European media experience, newspapers were connected to and subservient to political parties or factions. In other cases, the state ran its own newspaper. Further blurring the line between politics and journalism, would-be politicians started newspapers to spread their own word. In each case, the newspaper was the tool used by actors in pursuit of other political interests besides journalism. Moreover, the state often promulgated laws constraining media outlets over which it did not have direct control, creating perhaps not dependence, but certainly a lack of independence. The state, or its idealization in nationalism, also presumed upon media an expectation of support for the state. In short, whether by intentional design, unintentional dependence, or state constraint, the media in the pre-communist period were advocates for their patron–either the state or dominant political actors. As discussed earlier, even as late as the 1930s this may not have been surprising (if still politically problematic) to a Western observer. But while subsequent developments enshrined a media ethic of objective independence in the West, the state socialist system exploited the historically-rooted institutional features of political dependence and advocacy, thereby freezing in place a kind of media system that was just then being comprehensively rejected in the West. While we can say that the Soviet system held certain media characteristics in place, it would be inappropriate to ascribe the features and consequences of the circumstances of this dependence primarily to the Communists. They, like others before and since, seized on available organizational and institutional opportunities.

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In all three countries the institutional frameworks of the media that were available to the Soviets following the war were highly amenable to configuration the way the Soviets preferred. In Poland and Hungary, which the Red Army liberated, any vestige of independent media had been effectively eliminated, leaving an open field with little resistance for imposition of the Soviet media model (discussed next). In Czechoslovakia, which came into the Soviet orbit by "coup" three years after the war, the Communist party immediately began exploiting the institutional framework created and/or left behind by the Nazis, so that by the time of the coup the Communist party itself was already highly interconnected with the media institutions of the country.

The Soviet Takeover

The media were central to the Communist party plan for seizing power in each country. For instance, Tomasz Goban-Klas, elaborating on Hugh Seton-Watson's description of the three phases of Communist Party takeover of politics and the state, points out that the ministry of information or communication was one of the three ministries (plus defense and interior--i.e., the police) that the Communists insisted on controlling in the coalition governments that constituted the first phase of the party's plans to win power.[27] With these key ministries securely in Communist hands, their opponents could be attacked in the media (as well as pursued by the police). As we shall also see, control over the media was crucial for disseminating revolutionary propaganda from the central organs of the party to the rank and file and the population, one of the key features of Communist strategy.

There are, however, features that distinguish each case of Communist seizure of power which might generate important variations in the process of Soviet control and/or

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27. Goban-Klas, *The Orchestration of the Media*, 50.

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subsequent democratization. Paul Zinner, in discussing trends in Communist polities, points out that indigenous institutions of a particular country were sometimes destroyed (during the process of Nazi occupation and removal) and sometimes were sustained. In some cases countries were taken over by coups, sometimes by elections, sometimes by the Red Army. In some cases, nationalizations (of property and industry) were executed quickly, in other cases gradually.[28] Despite these differences, the distinctions identified by such classification may be immaterial, as by 1948 the "common blueprint" had generated practically substitutable local regimes within an essentially monolithic East and Central European (excluding Yugoslavia) political system.

Part of this blueprint included a Soviet model for the media. This model was replicated in the Soviet satellites either by direct imposition onto a relatively open field, or by Soviet crafting of local parties and politics in the process of their intentional takeover. The only possible concern was how easily the Soviet media system could be transplanted in a society that had some semblance of active media at the time. If the Nazi pattern is any indication, at some point totalitarian authorities simply eradicate that which is unacceptable and allow only that of which they approve. It seems likely, in other words, that even if a wide spectrum of newspapers had survived through the war in Hungary, for instance, the Soviets would have effectively eliminated them (most likely by making them all organs of some state-sanctioned group or union or national front party approved by the Communist party). Differences in the mechanisms of Soviet takeover, and differences of specific

28. Paul Zinner, *Revolution in Hungary* (New York: Columbia University Press, 1962). For discussion of both Communist takeover strategies and the variations in local conditions, see pages 30-37. For a different view of the Communist tactics see Philip Selznick, *The Organizational Weapon: A study of of Bolshevik strategy and tactics* (Glencoe, IL: The Free Press, 1960). In this highly ideological book, originally written in 1951, Selznick focuses on the use by the Communist party of organizational resources and political opportunities, beyond the "normal" realm of politics, that were fairly general to all the East Central European Communist experiences.

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institutional continuity between the Nazi and Soviet periods are unlikely, then, to have substantially altered the subsequent substantive political and institutional outcomes under the state socialist regimes of Czechoslovakia, Poland, and Hungary.

It may be plausible that such differences could have an effect, however, on the process of institutional reform in the post-communist transition. But it appears more likely that other factors--specifically the institutional/organizational and political opportunities available to ascendant actors during the loosening of the Gorbachev years--affect the political and media strategies of the dissident/democrats. As I will discuss shortly, political actors of the 1970s and 1980s participated in the media politics that were constructed, by the regime, as a function of the regime's best efforts to retain power and control. These efforts varied by regime, but each program still made clear the central political importance of the media and the utility of influencing them.

As for the theoretical implications, we do need to consider the possible effects on post-communist reform of the differences in style of Soviet takeover and maintenance of pre-Soviet institutional continuity into the state socialist period. While institutional continuity is comparatively clearer in Czechoslovakia, in Poland and Hungary the specific institutional interconnectedness between the state and the media is less obvious, only because more of the media infrastructure was simply destroyed by the Nazis. Even in Poland and Hungary, though, there appears to have been a general continuity of the organizational forms and rationale running from the pre-Nazi period all the way through the Soviet period. Government ministries were in charge of information and propaganda in both the pre-Soviet and Soviet periods. The government or governing party produced an official newspaper. In short, the distinction between politics and journalism was unclear.

The brief histories above indicate that the Soviets either took over institutions formerly run, but not created by, the Nazis, and/or created strikingly similar institutions to those of

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the Nazi regimes. The institutional and political continuities, then, could clearly be asserted as general features of totalitarian states, but to make such an assertion implies that the features of totalitarianism, not of Leninism specifically, create subsequent barriers to democratization. Such a lack of distinction between the organization and rationale of the German fascist state and the Soviet communist state makes it difficult to argue that the unique features of Leninism inhibit or constrain the process of democratic transition.

It appears, then, that certain organizational structures and relationships were available to actors of totalitarian states (be they fascist or communist), and these actors, in their turn, seized on them to establish and cement their control. In short, the Leninists, like the fascists before them, exploited existing institutional opportunities. Even in Poland, where the media infrastructure was in many ways destroyed, the Soviets rebuilt their media around organizational structures that had existed previously. The Soviets, in other words, built on earlier institutions (or their "blueprints"), and if the institutional opportunities available through these structures are still available in the post-communist period, it seems likely that new, post-communist actors will seize them again, and rationalize their own control in some new way. The historical legacies that affect the institutional reconstruction of the news media, then, transcend the Leninist period, and include trends from, in some cases, several decades previous.

I turn now to the communist period to examine the continuity of political and institutional relationships running from the pre-communist era, through state socialism and into the democratic transition. In all these periods, parties remain an important influence on the media, broadcasting remains the domain of the state, the politics of personnel appointments persists, and political actors retain programmatic expectations of media output.

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The Soviet Media System

The Soviet media system clearly institutionalized, in a more persistent and perhaps stronger way, the trends of influence and control that preceded it. Political expectations about journalistic output, for instance, were codified, and violations of the code resulted in the loss of one's job ("employment consequences," in the words of one post-communist politician.) It seems less clear, however, that this greater persistence and political proximity to the current environment is adequate reason to claim that the Soviet system had a unique impact on the media transition game in the 1990s.

It does seem plausible that the depth of the program to eliminate alternative media and information sources and systems has created a rather high barrier for media democratization to surmount, but such comprehensive programs of control were not specific to the Communists. The Nazis were equally destructive and controlling. In considering the Soviet media system, then, we should think of the ways in which Soviet political actors "rationally" employed the media resources, such as they were after Nazi control, at their disposal. In this light, their behavior fits in a rather continuous and stable pattern of political and institutional control.

The Central Role of the Party

As in every other aspect of political life under the Soviet system, the Communist party assumed a central role in the administration of the press. The media were just one feature, though a special one, of a dual party-state structure in which the party hierarchy mirrored the state structure, creating a mutually interpenetrated party-state institutional infrastructure. The press, in Lenin's view, served a special function--to agitate and propagandize on behalf of the party's ideology and policy. In brief, the party, partly through the means of its press, should (what we would more likely call in the West) indoctrinate the people with

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Marxism-Leninism and propagandize the people into supporting both the ideology and the party that protects and purveys it.[29]

The lens with which we should examine the relationship between the party and the press is not, however, the centrality of the party in defining the press' work, but in the role the press plays in supporting and facilitating the goals of a party that sees itself as the central actor in politics. The press (media), in other words, is viewed instrumentally by a (small) party that has put itself in the vanguard of society, and therefore deems it acceptable to exploit whatever social, economic, and political mechanisms are available for the pursuit of the party's goals. As Skilling points out, it is the responsibility of each member of the party to perform the functions of agitation and propaganda, in face to face conversations as much as in the loftiest halls of the party-government.[30] The press is one, perhaps the most important, mechanism for this activity. On the individual level, the journalist has a specific role in this process. As a *Pravda* editorial sums it up, the "journalist is an active fighter for the cause of the party. [H]e must have clear views, a knowledge of life and the ability to present his thoughts convincingly and brilliantly from Leninist positions."[31]

This does not differ greatly from the Nazi program, where "a dedicated party man" ran the information system of the rump Poland during the war. And it does not diverge that far from the circumstances of nation and state-building journalists in the Czechoslovak First Republic, where the dominant politicians maintained expectations of support, even if their institutional control was not quite so pervasive. As we shall see, in the post-communist

29. Gordon Skilling, *The Governments of Communist East Europe* (New York: Thomas Y. Crowell Co., 1966), 163-167.

30. Ibid, 164.

31. *Pravda*, July 27, 1965; cited in Paul Lendvai, *The Bureaucracy of Truth*, (Boulder, CO: Westview Press, 1981), 19-20.

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environment the utility of the media remained clear enough to the now competing political parties that each a) tried to establish their own print media outlets, and b) tried to influence the broadcast media, especially upon assuming power.

The Nomenklatura System

The party also developed means for systematically screening the personnel selected to perform the wide variety of tasks, including media production, necessary to run a party-state. The *nomenklatura* system was the mechanism by which administrative and professional positions deemed important by the party were filled by Communists (most likely) or loyal supporters. Quite literally, there existed a book, updated frequently, that listed important positions according to which level of the party bureaucracy would be responsible for their appointment.[32] To get a job on the *nomenklatura* list meant not only that you were most likely a party member, but that you also were fairly well known to the particular leadership responsible for choosing the incumbent for the position. Personnel of the national radio and television would most likely be appointed at the highest level of party authority, while provincial newspaper editors, even of those nominally independent papers, were appointed or approved by the local party organization. As we shall see shortly, though, staffing the bulk of the information system with party members or supporters did not guarantee immediate adherence to the party's expectations of information output, but it did ensure a staff acquiescent to instruction on how to meet party expectations.

The most important of the party-approved media personnel--those who served in the central organs of the party-state's media system-- were fit into a tightly organized bureaucratic hierarchy. For instance, the editors of the official party newspapers were

32. Karel Kaplan, *The Communist Party in Power: A Profile of Party Politics in Czechoslovakia*. (Boulder, CO: Westview Press, 1987), 153.

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usually members of the high-ranking Central Committee Secretariat of the Communist party, which determined the substantive orientation of the paper through daily contact between the responsible Central Committee secretary and the editor.

In each country, the entire press quickly came under the control of the communists, a reality consecrated in Czechoslovakia by an act of the (Communist) National Assembly in 1950, which in part reads "the mission of the press is to collaborate in [the Czechoslovak people's] education toward socialism."[33] Again, though the lessons were different, this kind of program does not depart significantly from the Nazi program of propagandizing. In the post-communist situation the educational mission is one of teaching democracy, and while this is a much more palatable course, the lessons are still imbued with the particular politics of those dictating the terms and expectations of the teaching.

In broadcasting, again in Czechoslovakia, an early Communist law unified what had been private radio corporations into one entity controlled by the Ministry of Information. By the mid-1950s, 40 per cent of broadcast time was devoted to propaganda, while the rest was non-political features, music, weather, or sports.[34] Propagandizing over loudspeakers, as the Nazis did, probably involved something more like 100 per cent of the broadcast time. In contemporary politics the parties install broadcasting directors and news editors that they find agreeable. The point is that political actors persistently see the media as a central tool (no matter how comprehensively they are actually able to control it) of the political game they are trying to win.[35] Certainly, the thoroughness of control has

33. Sturm, "Propaganda," 113.

34. Ibid, 113.

35. For instance the Polish government in exile (in London) also created a Ministry of Information whose job was to propagandize on behalf of the exiled government.

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diminished in post-communist politics, but the attempts to put the "right" people in media structure remain strongly similar.

Access to Information

So far I have tried to show that the party sought control over information by creating and controlling the administrative structure of the information apparatus, including the selection of personnel to sit in that apparatus. I turn now to a brief examination of the way the party-state controlled the people's access to information.

There are two important features of the party-state information distribution system. The first is the institution of the national information bureau--in Czechoslovakia, the Ceskoslvenska Tiskova Kancelar (CTK); in Poland, the Polish Press Agency (PAP); in Hungary , the Magyar Tavirati Iroda (MTI). The second element of the party's control over information distribution is the general physical control over the instruments of distribution.

In each country the national information bureau was an information distribution agency funded and politically controlled by the state. These were agencies, in other words, that were never independent from the state. Moreover, in the early Stalinist phase (through the mid-1950s) the national parties sharpened the formal control over their bureaus. On behalf of the party, the bureaus, which were typically controlled by the Ministry of Information, attempted to maintain a complete monopoly over information, both in collection and dissemination. Each bureau maintained branch offices in regional cities, and news correspondents in district towns. They were also the only organizations allowed to maintain formal contact with foreign news services, like AP, Reuters, TASS, etc.[36] In

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36. *World Press: Newspapers and news agencies* (New York: Unesco and the Unesco Publications Center, 1964).

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short, all information collected for possible dissemination was filtered or gathered by agents of the information bureau, and all information to be distributed to the press, radio, and TV would typically be sent through the capital for vetting and subsequent distribution.

This point bears reiteration. The national information bureaus were state organizations (meaning they were also answerable to the communist party) that sent "correspondents" out to gather information that the bureau then turned into news and information, which it formulated and distributed as a function of the political preferences of the party-state actors and organizations. Information collection and dissemination was a wholly party-state-run operation.

This situation corresponds fairly well to the Nazi program in which German dispatches were simply repeated through the Czechoslovak CTK or the Polish Telepress, and in which "local" news was written by Germans. Today, the information agencies are still state run (some "new," though not replacement, agencies connected to the government, as opposed to the state, have been proposed), and state political actors still expect them to serve as outlets for the information they want to communicate.

Impact of Control

Regardless of the specific mechanisms of control chosen in each particular country, the objective of media control on the part of Communist parties in each of the countries of Eastern Europe was basically the same. And for the most part, the objective--media politicized the "right" way--was achieved most of the time.

To put the issue most succinctly, the distinction between what is newsworthy and what is not took a particular and ideological orientation in Hungary, Czechoslovakia, and Poland. Newsworthy became defined as 'what the party deemed necessary for the people to know,' instead of what people might try to find out as a function of their desire to pursue

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their political goals and preferences. In an information environment controlled by a party-state apparatus that believes, in the words of one director of *Pravda*'s Information Department "(the population) must know something new and good,"[37] news and information, even that which appears to be non-political, is filtered, and even suppressed, often with little overt state control. As Curry points out, "[L]ittle needs to be said explicitly" to journalists regarding what they should and should not write.[38]

The Nazi regime was the only other system in which a party had control so pervasive as the Communists. But before the Nazis, in the countries of East Central Europe there was a sense of national identity that journalists seemed socially expected to adhere to. In the post-communist situation, the controls are again more muted, but they do persist. One does not have to read much about politics to see well-known politicians exhorting the media to engage in more positive reporting, or to live up to the responsibility of showing the country "in its true light" (usually to encourage foreign investors). As we shall see, this light is clearly configured by the particular political goals and expectations of the actors making the demands.

Summary

Clearly, the Soviet media system entailed pervasive controls on the production and dissemination of information and news. The party was directly and intimately involved in selecting the individuals responsible for providing information and news services, as well as the information and news itself. In short, all information-related activities were

37. Irina Kirilova made this statement as an explanation for why the press did not cover plane crashes. See Lendvai, *The Bureaucracy of Truth*, 1981, 60.

38. Jane Leftwich Curry, "Media Controls in Eastern Europe: Holding the tide on opposition," in *Press Control Around the World*, Jane Leftwich Curry and Joan R. Dassin (eds.), (New York: Praeger, 1982), 121.

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subordinated to the needs of the party and the state, which, of course existed as a creature of the party. Though the system may have been more effective, it does not appear qualitatively different from information systems created by the Nazi regimes. Further, the general program of deploying the media to pursue political objectives was common to nationalist political actors in the late 1800s and early 1900s.

From Stagnation to Glasnost

The media remained central to political actors (be they the party or dissidents) for the remainder of the state socialist period. Through most of the stagnant years of the 1970s the media were still subject to party control. Certainly, in Hungary and Poland (somewhat) some "non-political" issues and topics could be addressed in the media, so long as ultimate party authority was never questioned. But when Mikhail Gorbachev announced the new policy of openness, it set in motion an inevitable loss of political control over the media. Ultimately, by the end of 1989 increasingly bold dissidents pressed demands, issued complaints, and vented criticisms toward the party and the state. In Hungary and Poland, this process began even earlier in underground publications. In every case, it was clear to all actors involved that the information media, and the ability to spread ideas through them, were central to political participation and success.

Hungary

In Hungary, so-called Goulash Communism was a political "program" that could embrace anyone not overtly opposed to the party. It became a way to encourage wider acceptance of the regime, and it included, among other things, a relatively more open information policy. The party, under general secretary Janos Kadar, specifically granted certain social and economic "freedoms" that were then channelled into a second society

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separate from the official first society. In this second society individuals might hold second, "grey market" jobs or organize social groups outside the official domain.

Included in this program was a moderate openness in the official media. Though still official, new intellectual journals and new TV programs appeared, and participated in this comparatively active political discussion. Formerly restricted topics now received semi-open discussion, and even regime opponents got some coverage. As Andras Lanczi and Patrick O'Neil point out, the intent of this "program" was to pacify society by dissipating popular pressure that might have built up over general social and economic conditions.[39]

This new openness in the media, though still subservient to the party, began to allow a certain amount of political flexibility, especially for higher party officials. As Gorbachev encouraged even greater frankness the media's importance increased because rival factions in the Hungarian party began to maneuver for control over a media outlet through which they could express their views. By the time Kadar was deposed in 1988 three different individuals held three different executive positions in the party or the state, and each maintained one of the official daily newspapers as his "mouthpiece."[40] Competing political actors, in other words, used their influence and control over media outlets to pursue their political agendas, in ways similar to the Hungarian nationalist politician/journalists of the mid-1800s and the post-communist democrats of the 1990s.

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39. Andras Lanczi and Patrick O'Neil, "Pluralization and the Politics of Media Change In Hungary," *The Journal of Communist Studies and Transition Politics* 12 (December 1996) 82-101.

40. Johnston M. Mitchell, "The Evolution of a Free Press in Hungary, 1986-1990," in *Revolutions for Freedom: The Mass Media in Eastern and Central Europe*, Al Hester and L. Earle Reybold (eds.), (Athens, GA: James M. Cox, Jr. Center for International Mass Communication Training and Research, 1991).

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Poland

The Polish party, similar to the Hungarian, tried to "make a deal" with the population, though Poland's greater economic difficulties made the bargain harder. The stagnation of the 1970s hit Poland hard enough that by 1980 trade unionism was practically unstoppable. The vacillating legalizations of Solidarity did nothing to undermine the union's credibility and authority, and prior to the onset of martial law in 1981 the union issued media policy directives and even influenced media legislation. Initially, Solidarity's media principles were high-minded. In 1981, for instance, they adopted articles saying, among other things, that "the media of social communication are the property of society and must serve the entire society and operate under its control."[41]

There quickly developed a split in the higher ranks of Solidarity, though. The Gdansk leadership, associated with Lech Walesa, began to support the position that access to media could not be totally unrestricted. Social control of broadcasting would not really be feasible (with so many groups in society), according to Walesa, so "access to the press, radio, and television" will be based on the best interests of workers and union members.[42] Finally, while Solidarity did not uphold censorship, the union would support some editors and expel others. These are political arguments and behaviors that would become pervasive throughout the region in the post-communist era–political parties and actors will see the undoubtedly necessary limits on access to media in relation to how such restrictions might help them in pursuit of their own goals and agendas. In Poland, this dominant post-communist trend starts with non-communists (indeed, anti-communists) in the midst of the state socialist regime. It seems fairly clear, then, that the ideology of media control is not

41. Cited in Anna Reading, "The People v the King–Polish broadcasting legislation," *Media Law & Practice* 15 (Winter 1994) 7.

42. Ibid, 7.

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determined by Leninism, but rather by political actors across the spectrum who understand the utility of information media and their control.

Czechoslovakia

In contrast to Hungary and Poland, the Czechoslovak party, especially after 1968, maintained a particularly tight grip on society and the media. Whereas opposition found a home in the semi-open media of Hungary, and in Solidarity in Poland, in Czechoslovakia even oblique criticism landed one in jail. Following the post-1968 normalization[43] journalists and/or writers often had to leave their profession or the country. Media control was so prevalent, in fact, that it took Gorbachev's glasnost to thaw the freeze in Czechoslovakia. Even then it was primarily the creation of newer journals outside the mainstream that generated greater openness.[44]

Conclusion

In all three countries it seems fairly clear that the anti-communist opposition (and what became the pro-democracy umbrella organizations in 1989) understood the power and potency of media and the importance of influencing or controlling them. While the circumstances of media politics differed in each country, during the 1980s in each country new political actors were competing in new ways. In Hungary, open intra-party factionalism yielded a wider space for openness in the media. In Poland, the Solidarity

43. For a review of post-1968 politics see Milan Simecka, *The Restoration of Order: The Normalization of Czechoslovakia*, (London: Verso, 1984).

44. Andrej Skolkay, "Journalists, Political Elites and the Post-Communist Public: The Case of Slovakia," *The Journal of Communist Studies and Transition Politics* 12 (December 1996) 61-81.

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trade union was potent enough to issue media policy directives. In Czechoslovakia, Glasnost finally generated some freer discussion.

Several important themes, summarized in Table 2, emerge from this history. First, the media were seen by most, probably all, actors as a central element of the effort to participate successfully (maintain control for the party; win control for the opposition) in politics. The intensity of the Czechoslovak party's efforts to maintain control over the media must have indicated the importance of such influence and control to the opposition. In Poland and Hungary, the lessons on the centrality of media were learned more first-hand.

Second, to the extent that actors see the media as useful to improving the prospects of their own success, the media are not viewed neutrally, but instrumentally. Rhetorical flourish aside, democratization of the media takes second place to deployment of the media. Solidarity expressed such attitudes even before winning control of the media. Rival and competing Hungarian party members understood the utility of having a newspaper that would print what you wanted and frame it they way you desired. Even the more suppressed aspirants to power in Czechoslovakia could undoubtedly discern the importance of media control.

Third, and more generally, the centrality of the media to the political actors on the increasingly competitive scene was as clear as to the first republicans in Czechoslovakia and Polish and Hungarian nationalists. In other words the post-communist democrats of the 1990s differ remarkably little from the nationalist politicians generations earlier, or, for that matter, from the Soviets, in their efforts to employ media on their own behalf. Indeed, it should not surprise anyone that, everything else being equal, a political actor prefers favorable coverage to unfavorable coverage. Further, it should be little surprise that actors

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Table 2. Historical Media Continuities: Nationalist Regimes, the Nazi System, and Soviet System

	Pre-Nazi *Czecho-slovakia*	**National** *Hungary*	**Regimes** *Poland*	**Nazi System**	**Soviet System**
Press Affiliations	State & Gov't.	Political Actors; State	Commitment to National Identity	Nazi Party	Communist Party; National Front Organizations
Broadcstng Ownership	State	??	??	State	State
Official Information Agencies	Yes	Yes	Yes	Yes	Yes
Personnel Controls	??	??	??	Party control	Nomenklatura
Political Controls	Social	Expectations	of Nationalism	Party-produced; censorship	Party-produced; censorship
Diversity of Press Outlets	Fairly Extensive	Fairly Extensive	Extensive	Narrow	Narrow
Role of Propaganda	Fairly Strong	Fairly Strong	Fairly Strong	Strong	Strong

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seek influence and control over the media, since these are the most direct means to assure favorable coverage.

In this historical review I have tried to establish a context for the central claim advanced in this work, namely, that post-communist political actors seize on the opportunities available for the pursuit of their political self-interest. I have asserted that the institutional relationships that generate these opportunities are not primarily a function of Leninism or the 40 years of state socialism. On the contrary, several important institutional continuities that predate the Leninist period have been available for a diverse range of actors, in their time, to deploy or exploit. I move now to the case studies of contemporary media politics in Czechoslovakia (Czech Republic and Slovakia), Hungary, and Poland, in which I will try to demonstrate that post-communist political actors step squarely into the long-standing pattern of media constraining behavior detailed in the above review.

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CHAPTER V

FROM CZECHOSLOVAKIA TO SLOVAKIA AND THE CZECH REPUBLIC: THE MEDIA AND THE TIES THAT STILL BIND

> Virtually no change occurred in the form of government. The government structure remained the same....The change (was) in the substance and the system is becoming more democratic with the passing of time. (George Glos, *Modern Legal Systems Cyclopedia*)

Transition and the Media

20th century historical trends, predating even the state socialist period, in Czechoslovak media indicate a long pattern of state involvement and/or control over mass media and substantial political party involvement in the press. The central focus of the current study is to assess the barriers--the various political constraints--that must be surmounted in order that the media might be freed to become an independent democratic institution. To begin examining this we return to the two basic analytic approaches--transitions and Leninist legacy--currently dominating the debate about democratic transitions in Eastern and Central Europe.

The transitions approach claims that new democratic institutions can be constructed to be potent enough to transcend any authoritarian retrenchment. The rules of newly crafted democratic institutions will generate outcomes that actors will comply with, primarily because the institutional rules allow subsequent participation even for first round "losers." Moreover, the everyday workings of the democratic institutions still allow even less dominant actors some opportunities to pursue their interests. In short, the probability of

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actors getting their preferences is always greater than 0 but less than 1, and this is a substantial enough prospect to keep all actors in compliance with the democratic rules.

As I have contended, the rational choice transitions approach says little specifically about the reconstitution of existing institutions and even less about the media. If the general transitions assertions could be applied to the case of the media, however, it seems reasonable that we should see the reconstruction of the news media as an institution that does not systematically favor any political actors, is definitively reorganized (most likely by law) as an institution both independent of and protected from the state, and whose performance is operationally insulated from both the state and advantage-seeking political actors.

Transitions scholars may or may not see any particular problem in close media relations with the state, but close alliance with political parties is clearly unacceptable because such affiliations increase the probability of generating biased information favorable to the sponsoring party, thereby subverting the democratic functioning of the independent news media institution. Even in the case of close media ties to the state, any relationship in which parties/actors--in control of the state--could use the media to exercise political advantage over other parties and thereby taint or alter the functioning of democratic procedures would be unacceptable. For (an extreme) example, if party A controlled the state media and knew that their electoral prospects were poor in a particular region, it would subvert the electoral process (the compliance-generating institution) to use this control over the media to somehow discourage turnout in that region.

One of the clearest ways to bind actors by and to the democratic procedure is to make both the procedure and its outcome highly visible. Election dates can be set and the execution of an election on the foreordained day can be easily observed. Making the procedure clear and definitive makes it more difficult for actors to opt out. An imminent

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loser in the election cannot call for elections to be postponed (that's a violation of the rules) without a loss of political credibility so substantial that it risks dismissal from the whole game.

With respect to the media, then, we should see, in this case, definitive reorganization that clarifies their independence from the state apparatus. The media should be taken out of state control and out of the reach of control by any particular political actor. This goes for political as well as economic connections. Financial control, after all, leaves open the possibility for state actors (in charge of the money) to make political demands or express expectations. If the media are not so isolated from political actors, they are subject to possible influence in favor of the controlling actor. This, it seems clear, is a malformed (and not so) democratic procedure that all actors likely would not have accepted as part of the democratic bargain.

Finally, given the conceptual constructs of the transitions approach, the news media should be reconstructed in such a way that no actor can unilaterally influence the media's performance to favor that actor's preferences. This point is similar to the earlier one that media reconstruction cannot favor particular actors. Whereas the first point is that the media as an institution should not be constructed in such a way as to favor an actor(s), here I simply mean that the media should not be manipulable. In the first case, the media should not be constructed to favor any particular actor (though theoretically this might be done in the process of democratic bargaining). In the latter, the media should be constructed in a way that makes it difficult for actors to establish some sort of control. Circumstances in which some actor could establish such control, undoubtedly, would be (or would have been) intolerable to the other democratic bargainers.

In sum, applying the transitions approach to the reconstitution of the news media we can project that independence from the state and dominant political actors (especially

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parties) would be critical to creating independent media that contribute to the functioning of the democratic system.

Leninist Legacies and the Media

What I have called the Leninist legacy school asserts that the unique social, economic, and political characteristics of these Leninist regimes make them incomparable to other transitions from authoritarianism, as well as unlikely candidates for successful democratization. This is so, according to their argument, because the institutions of state and politics, imbued with Leninist "content," are constitutionally resistant to democratic transformation.

Projecting the legacies argument to specific cases is somewhat difficult, as the conceptualization of the legacy argument is more general. In fact, an important theoretical inadequacy of the legacy approach lies precisely in the fact that it offers little in the way of *a priori* claims about how the legacy will actually subvert democratization, or what politics will actually "look like" following from the legacy. In short, the legacy scholars offer *post hoc* justification for a wide variety of phenomena that are, in fact, highly interpretable.

That being said, with respect to the news media, the legacy approach might most likely assert that the journalistic ethic of subservience to the state is too ingrained for practicing journalists to function as operatives of free and independent media. Even if the institution of the news media were transformed by law into something totally independent of political control by the state and purged of its communist fellow-travellers, the work habits of dependence learned under communism would inhibit the democratic reconstitution of the news media.

Moreover, the general connectedness of the state to what we in the West think of as non-state institutions was so pervasive under state socialism that any transition that allows

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those connections to survive will yield less than the requisite distinction between the state and civil society. In other words, if institutions of civil society (of which the independent media are a special aspect) necessary for the reproduction of democracy are not effectively disconnected from the state machinery, there is in fact no civil society and wholly inadequate democratization.

In some ways, the current study fits more closely, but not wholly, with the Leninist legacy approach. I contend here that the nature of institutions does affect the prospects for institutional change, and therefore of democratization. But in this respect the reconstituting of existing institutions differs from the original constitution of new institutions. It is the nature of institutions as organizations, with a continuity of organizational imperatives, norms, patterns, etc., not the Leninist content that yields these outcomes.

Contrary to the transitions claims, political actors in East Central Europe were able, with varying success, to deploy the news media as a tool in support of the actors' preferences. In short, the media remained connected to, partially dependent on, and deferential to another political actor's power. As a Gannett Foundation report put it in the summer of 1990, "Raw political power...will be the decisive factor in determining how much freedom the media have."[1] The same could have been said in the late 1940s, as the Communists began their drive to acquire power. Today, obviously, the scope and intensity of the control actually held by any particular political actor is significantly reduced from that of the Communist party during state socialism, but the effort to exert control and the psychology of political expectation about media performance are qualitatively similar.

On closer inspection, however, we see that the newly enfranchised political actors (and parties) reinhabited the institutions of the interconnected party-state, now evacuated by the

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1. Quoted in Everette E. Dennis and Jon Vanden Heuvel, *Emerging Voices: East European media in transition*, (New York: Gannett Foundation Media Center, 1990), 7.

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Communist party. In other words, the organizational infrastructure from the pre-transition period (and sometimes dating all the way back to 1918) was left largely intact for the post-communist actors to take over. The political opportunities inherent in such organizational capacities, and not anything uniquely Leninist, have kept the media bound to the state and reliant on the political preferences of the new actors.

The Czechoslovak Media, 1990-1992

Politics and political power were central features of the environment in which the media operated during the first three years of post-communist Czechoslovakia. In what were also the last three years of Czechoslovakia, the media underwent very little and highly narrow legal reform (which focused more on questions of federal and republican authorities than anything else), were only partially disconnected from state and/or party influence, and were still subject to the exertion of political expectations (or demands) of actors who held power.

Quite unlike highly visible new institutions, like elections, the news media do not conform to the transitions projections about democratic institutions with the power to generate compliance from political actors. Similarly, the politics of the media only partially resemble the circumstances projected by the Leninist school. Important media legacies predate and transcend the Leninist period, marking the state socialist era as another in a long line of political systems wherein the state, and the political actors controlling it, exerted influence and control over the media.

Legal Reform

Repeal of state socialist controls on the press and arguments over federal vs. republican authorities were the two distinct aspects of legal reform of the institution of Czechoslovak media. The former focused primarily on censorship and the new guarantees of freedom of

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expression, while the latter went unresolved until the so-called "velvet divorce" that dissolved the federation into two separate independent states.

In the words of Frank Kaplan, "The immediate concern by the new government following the revolutionary changes of November, 1989, was to eliminate the most constraining aspects of the existing press law and to begin thinking about formulating a totally new media policy future."[2] The new government succeeded in the former, and, as the current study contends had little hope in achieving the latter.

The very unfolding of the events in November 1989--the events which brought down the Communist government--were covered and televised by news media that were increasingly ignoring the regular strictures placed by the state on the media and journalists. By early 1990, by some estimates, more than a thousand "periodicals" sprang up (few surviving past the first issue). In the mainstream media journalists were reporting openly and frankly about the political situation. Censorship had, in fact, ceased. In late March of 1990 the National Federal Assembly sanctioned this development by amending the 1966 Press Law to specifically ban censorship. The new government, in other words, gave up the state's control and virtual monopoly over information production, but only in print media. The Civic Forum/Public Against Violence (the dominant, but as yet unelected, opposition organization) expressed its intention to retain broadcasting as a state monopoly, saying that TV and radio are "important democratic means of implementing the information needs of the state, and a specific element of national culture."[3] The parties did not

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2. Frank Kaplan, "Czechoslovakia's Press Law," in *Revolutions for Freedom: The mass media in Eastern and Central Europe*, Al Hester and L. Earle Reybold (eds.), (Athens, GA: The James M. Cox, Jr. Center for International Mass Communication Training and Research, 1991), 47.

3. Peter Martin, "The Recent Role of the Mass Media," *Radio Free Europe/Radio Liberty Report on Eastern Europe* (hereafter, *RFE/RL*), February 16, 1990, 14-17

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elaborate on what the state's information needs might actually be, but as we shall see the dominant party's preferences regarding broadcasting continued to be expressed through the mechanism of state control.

But even with respect to the press much was also left in place from the state socialist system. "Authorization to publish periodical press" still required "registration."[4] This registration was completed with the appropriate state authorities of education and culture, and included an explanation of the periodical's content, and the editor's background. Also retained were legal articles detailing the responsibilities of editors to, among other things, "not infringe on the legally protected interests of society, citizens, and organizations."[5] There are also sections of the law obliging editors to publish corrections of "untrue" or "truth-distorting item[s that affect] the honor of a citizen or the good name of an organization," including government agencies.[6] While these provisions do not generate, perforce, government or state control of the press, they do hint at the possible ways that control or influence might be attempted by political actors. As we shall see, for instance, the "interests of society" can be construed as the responsibility to promote national identity (which has been particularly apparent in Slovakia).

The early efforts at constitution making in Czechoslovakia did not clarify the question of how to make the media more independent. The constitution (drafts, since there was no ratified constitution for the federation before the break-up) focused more on the political rights of individuals to express themselves, the banning of censorship, a general explanation of the circumstances under which freedoms of expression could be curtailed,

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4. Law 86/1990, Section 5, Article 1. Czechoslovak acts (and Constitutions) can be found in the Lexis/Nexis database "Central and Eastern European Legal Texts."

5. Ibid, Section 10, article 12.

6. Ibid, Section 19, article 1.

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and the distribution of authorities and powers of the two individual republics and of the federal government. The constitutional articles addressing information and media are few and brief, and the language (except for the prohibition of censorship) general enough that political conflict over the functioning and control of the media should have been expected.

In five articles the draft constitution "guarantees" the "freedom of speech and the right to acquire information."[7] The closest thing to a consideration of the production of information to be widely consumed (a task largely undertaken by the media) comes in the guarantee of the right to "disseminate ideas," (paragraph 2) the censorship of which is "not permissible" (paragraph 3). There is, in other words, no specific protection of media as a collective institution, external to the state, as the mechanism for producing and disseminating the information that all have the "right to seek out [and] receive" (paragraph 2). In fact, the only mention of the press and media as such a collective institution delineates which governmental entity will maintain legislative responsibility for them. Article 56 of the draft indicates that the Czech and Slovak Federal Republic is responsible for legislation over the press and other information media. (After the split into two independent countries, both new Czech Republic and Slovakian constitutions retained almost verbatim the same five paragraphs covering issues of information.)

Unlike First Amendment guarantees in the United States, the media as an institution are not specifically protected from infringement by the state. Rather, the constitution specifically indicates precisely which governmental unit shall have legislative authority over them. The extent of this authority and the boundaries of control over the institution are discussed only in so far as censorship is specifically prohibited. While this is an important information safeguard, it is quite narrow and does not preclude de facto control. As we

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7. 1991 Draft Constitution, Part II, Article 26, paragraph 1.

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have seen, even during certain phases of the communist period censorship was not specifically necessary in the effort to control information output.

Furthermore, a more lengthy, but more general paragraph (4) of article 26 discusses the conditions under which "the freedom of speech and the right to seek out and disseminate information may be restricted by law." The state may restrict the freedoms that presumably underwrite the implicit freedom of the media when the "protection of the rights and freedoms of others," "the security of the state," "public safety," and the "protection of public health and morality" are at stake. These provisions appear to mean that in moments of concern, to be determined by the state, for society or the state, the state can restrict the media.

It seems clear that this status is not that of a strong democratic institution capable of generating compliance among all actors, as the rational choice transitions scholars claim new institutions can. Rather, this is more a description of an institution that can plausibly be deployed for the benefit of some actors--specifically, those in control of the state. This is problematic because democratic functioning of the news media can only be achieved when all actors are "equal before the media." In other words, the democratic function of media as institution is to be indifferent to the political preferences of all, or, to confront all equally. This is what makes media independence as important as media freedom. As these constitutional articles affirm, however, the media remained in a politically contingent position, possibly (and as we shall see, frequently actually) dependent on the preferences of particular actors. (In the case of broadcast media, which were specifically retained under state control, the reality of dependence is even clearer.)

The vagueness of the legal and constitutional language about the media undoubtedly contributes to the politically contingent status of the media institution. Where specific processes and functions are not delineated, interpretation and exertions of political power

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are available to competing actors. After all, under the rule of law, that which is not specifically illegal is legal. To be more precise, the rules of behavior of and toward the institution are unclear, leaving room for political maneuver vis-a-vis the institution. Contrasting this with rule-bound new institutions, like elections, it seems clear that we cannot generalize the transitions scholars' projections about compliance-generating new institutions to the case of reforming existing institutions.

Party Connections & Political Expectations

We have seen that the media were not given a legally defined and protected independence from the state, and concomitantly, from politics. A look at the short post-communist history of Czechoslovakia (December 1989 through, essentially, the summer of 1992) reveals that in practice political actors exerted pressure and attempted to control the media as frequently as, if not more often, than they granted their independent political status. Even more to the point, the rhetoric of "free press" was especially potent, but the political behavior of state and other political actors fell far short of respecting that freedom. As for "independence," such notions are simply not part of the political discussion.

One of the first acts of the initial post-communist government, in December 1989, was the replacement of the Communist chairman of the Federal Office for Press and Information by a more politically acceptable individual.[8] The new government left the state socialist information bureaucracy in place, in other words, and installed a director more to the their liking. (Within a month the Federal Office for Press and Information was replaced by a Ministry of Information, a step higher on the hierarchy of central power.[9]) This, I

8. Martin, "The Recent Role of the Mass Media.".

9. "Ministry of Information to Replace FUTI", *Foreign Broadcast Information Service Daily Report* (hereafter, *FBIS*), January 22, 1990, 35.

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contend, is the beginning of what amounts to a fairly stable maintenance of the state apparatus during the transition to democracy. As we saw in the history of the Czechoslovak media, this media-state apparatus has consistently been a function of state power and authority, wherein the media have served the state, and those who control the state, primarily for the purpose of state-building. To replace the individual at the top of that apparatus and not change the whole apparatus itself is to leave in place the organizing principle attached to the apparatus. I will now try to demonstrate that the perceptions of the media's role vis-a-vis the state and dominant political actors (i.e., expectations of support) did largely persist, and this is reflected, if only implicitly, by the demands and expectations held by political actors and expressed through their political actions.

Before proceeding to an analyses of the press and broadcasting, I should make several points regarding the differences, which in many ways relate to each of the case study countries, between the two. The most important distinction is that the print media experienced extensive pluralization, while the broadcast media were specifically retained (at least for several years) as state monopolies. It seems fairly clear that the changes toward a "free(r) press" were a politically tangible and inevitable step that the new reform actors could take. As I mentioned earlier, in many countries a plethora of "newspapers" sprouted (and folded) *before* any formal or specific legal changes regarding the press or publishing. It would have been politically difficult for the democratic reformers to revoke these "rights" and freedoms spontaneously asserted by the populace.

It was economically infeasible, on the other hand, for individuals or even domestic groups to quickly start up a broadcasting outlet. Whereas a small paper or journal could be produced practically with one's own pocket money, the capital investment and personnel resources necessary for starting a television or radio station were simply unavailable, especially in a short time frame. In other words, the state was the only actor realistically

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able to sustain broadcasting in the transition environment. As I have argued earlier, the longer such state control persists the more likely that the controlling actors will try to maintain the relationships of that control.

In spite of these differences, though, some patterns are remarkably consistent across both types of media. Political actors maintained expectations about "right" or "good" journalistic performance in both media. Political actors tried to use both media as mechanisms for expressing their own views and pursuing their own agendas. Political parties sought to control their own print outlet, and demanded guarantees of access to the electronic media; state and government actors, on the other hand, sought control of both broadcasting and print media. In short, the attempts to constrain media performance, and to exploit media resources is common to both the electronic and print media.

The Press

In 1991, observing developments in the Czechoslovak media since 1989, Vladimir Kusin asserted that "The old media scene as it had existed before the democratic revolution did not collapse, rather it expanded, diversified, and changed colors."[10] Kusin was right, and in more ways than he imagined. The number and variety of newspapers and journals certainly expanded and diversified. But so too did the number and range of parties and organizations that sought control over a periodical, or simply published their own journal. Red may have been washed out of the media, but the whitewash of opinion posing as fact was intensifying. The freedom to speak and write was guaranteed, but the ability to actually print and distribute something freely thought remained (at least initially) almost as difficult as under state socialism. There were few truly independent outlets where

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10. Vladimir Kusin, "Media in Transition," *RFE/RL Report on Eastern Europe*, May 3, 1991, 8.

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independent thinking could be expressed, and the archaic distribution system kept even those less widely disseminated than they might otherwise have been.

Kusin himself points out that a March 1991 study by the CTK, the state news agency, lists 53 main Czechoslovak newspapers. Of the 53, one-third were openly controlled by a political organization or party; another one-third had "undeclared affiliations;" and the remainder were independent.[11] The creation of new party-affiliated journals began quickly. By late December 1989, Public Against Violence, which along with the Czech Civic Forum constituted the "umbrella" organization of the opposition, launched *Verejnost*, a paper to be published by the coordinating committee of the party. The Czechoslovak (i.e., the nationwide) Social Democratic party planned to issue *Pravo Lidu* at the first of the year, and the Slovak Socialist party was set to launch *Svobodny Zitrek*.[12] In March 1990, two Slovak parties, the Party of Independent Democrats and the Liberal-Democratic Party, launched *Nezavisle Noviny*, and the Christian Democrats followed in April with *Slovensky Dennik*, while the (Slovak branch of the) Social Democrats issued *Ludove Noviny*. Also in April the Agricultural Party issued *Venkov*.[13]

This party control over the press can generate real political and professional constraints on journalists. The Czech Socialist party leadership dismissed the editor-in-chief of the party daily, *Svobodne Slovo*, after the editor, Lubomir Petrik, asserted that the party's poor showing in the historic general elections was the fault of the party leader. While the paper's staff, in support of their editor, issued one edition whose front page consisted only

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11. Ibid, 14.

12. "Effect of New Leadership on Media Evident," *FBIS*, December 28, 1989, 22.

13. "New Czech Government Weekly to be Published," *FBIS* March 26, 1990, 20; "First Issue of the Agriculture Party's Weekly," *FBIS* April 13, 1990, 19; "Slovak Christian Democrats Publish Own Daily," *FBIS* April 23, 1990, 21.

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of the word "Strike," the party presidium issued a statement claiming that "*Svobodne Slovo* should be...independent," though its content should "take the side of the Czechoslovak Socialist Party."[14]

In January of 1990 Civic Forum, the political organization (not a party, yet) to which many of the dissidents from Charter 77 belonged, announced the publication of *Forum*, a weekly that would "profile the political and ideological orientation of the Civic Forum," but would also "retain a certain independence that will make it possible to critically reflect Civic Forum activities."[15] When the loose organization Civic Forum eventually split into two political parties, Civic Democratic Party (CDP) and Civic Movement, the CDP announced that it would have to establish its own paper.

By June of 1990, seven months after the collapse of Communist party control over Czechoslovakia, the journalists association complained that political parties were trying to restrict journalists, and, further, that the "decisive political forces" were not aware that the news media are not obedient tools of power, but guarantors of the healthy development of society.[16] It seems clear, then, that the ability to complain about constraints on independence increased dramatically, but so did points of contact between political parties and the media. In the state socialist period one party exerted nearly complete control over the media. Seven months later, a wide range of parties sought their own control over part of the media, and each competed for access to influence as much as of the remainder as possible.

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14. Country Report, *Index on Censorship*, 19 (February 1990), 10.

15. "Civic Forum to Publish New Magazine," *FBIS* January 19, 1990, 29.

16. "Journalists Protest Alleged Party Interference," *FBIS* June 20, 1990, 15.

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The primary problem with the connection between parties (or in the case of Civic Forum/Public Against Violence, political organizations) and the media is in the way such connections compromise the role of independent news media in democratic society. It strains credulity and logic to think that a paper could "profile...the orientation" of an organization or party and at the same time retain any independence. The commitment to profiling the organization means the paper serves the organization's interests, a situation specifically indicated by the intention to "critically reflect Civic Forum activities," which, at best, portends self-assessment for the purpose of improving the organization's political situation, or a party's (electoral) prospects. In short, profiling the party (or organization) is to give preference to the party's positions and attitudes in an effort to maximize the party's performance, and is indifferent and probably counterproductive to the effort to produce "objective" information in pursuit of the best performance of the democratic system as a whole.

Association with a political party was not the only form of political dependence of the press. Governments also published their own newspapers. In March 1990, the Czech (republican) government launched *Ceska Politika*.[17] By May the Slovak (republican) government began publishing *Narodna Obroda*, which, although to be published by the Slovak government, would strive to be an independent newspaper, even taking a critical stance toward the government. The following January Slovak Prime Minister Meciar called *Narodna Obroda* "our undeniably best paper."[18]

Unfortunately, it is not the striving that matters. It was the government, the actor *against* whom independence most strongly needs to be protected, after all, that announced

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17. "New Czech Government Weekly to be Published," *FBIS*, March 26, 1990, 20.

18. "Meciar Reviews 1990, Praises Newspaper," *FBIS*, January 4, 1991, 12.

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the intent to strive for independence. Institutionally constructed connections, which sustain dependence, cannot be transcended by expressions of intention that it be so. As the current study seeks to demonstrate, such institutional connections will far more frequently result in influence and control by the dominant institution (the state, the government) over the subordinate (the newspaper, the TV network).

The practical and logical untenability of this simultaneous dependence and claims to independence are revealed in the explanation of *Narodna Obroda*'s purpose. The "basis" of the paper was to be the fulfillment of the (then) present government's program of national understanding. After the elections (to be held the following month), the paper would proceed from the basis of the new government's program.[19] Between independence and the connection to the government, the scale was clearly tipped toward the paper's dependence on the government.

There were some successes in the effort to develop press independence and freedom. As the CTK study cited earlier indicates, about one-third of the newspapers in Czechoslovakia were independent by 1991. As early as December 1989, several leading newspapers declared their independence from their Communist party organizational control. *Rude Pravo*, the main Communist party daily, even became an independent paper. *Lidove Noviny*, the samizdat (underground) newspaper that was clandestinely photocopied and passed from one reader to the next, became a legal independent newspaper in early 1990. In fact, *Lidove Noviny* became so legitimate that its first legal issue was published by the official Federal Press and Information organization. The paper's legitimacy went, in other words, from being grounded in its opposition to being grounded in state sanctification.

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19. Ibid.

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These successes in creating independence notwithstanding, we have seen that the press were still substantially deployed as a tool in the pursuit of actors' political goals and preferences. There quickly arose, no doubt, a variety of competing new voices, but the tunes these voices sung were often called by actors dominant (or seeking dominance) over the press. Such dependent positions are counterproductive to the news media role in democratic politics, in which they are to provide information unbiased by political preferences, so that policy makers and voters can participate in politics with the necessary fund of knowledge. We turn now to the broadcast media to examine similar trends of dependence there.

Broadcast Media

The broadcast media were specifically retained as state monopolies at the time that the print media were released from state control. Thereafter, political actors (often parties) frequently argued over the political configuration of the broadcast media, the mechanisms of control (expressed as guarantees for fairness), and ultimately over the place of state media in the formation of nascent political society.

Much more significantly than with the print media, an organizational infrastructure from the state socialist period remained in the broadcast media. There was neither unrestrained new broadcasting (as with the press in early 1990), nor much bargaining over procedures for democratizing existing broadcasting institutions. Whereas we have seen that parties and other political (and governmental) organizations created their own newspapers, in the case of the broadcast media the ability to establish one's own outlet was restricted by both law and economics. As a result, the institutional structures connecting the broadcast media to the state remained strong. Moreover, the nature of these structural connections encouraged new party and political actors to step into what had been the Communist party's role in the

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"party" side of the "party-state" institutional infrastructure. With the Communist party's evacuation of an intact party-state infrastructure, in other words, there remained an infrastructure of political power and control waiting to be filled by new actors. Frantisek Pavlicek, Director of Czech Radio, in the summer of 1990 said, for instance, that radio was not as free as the press because as a state-financed institution radio had to serve the government.[20] He had earlier said that he was "afraid" of privatization in radio because "[w]hen independent radio stations start mushrooming in this country...we will have chaos."[21]

In the main, the three years of post-communist Czechoslovakia were characterized by political feuding between parties over what amounts to the competing groups' expectations of what the broadcast media could do to support their individual causes. There persisted in many of the democratic political actors, in other words, an attitude that the news media (especially the broadcast media) could and should be useful tools in pursuit of the actors' own political goals. Seen in this light even the debate over Federal vs. Republican controls over broadcasting are symptomatic of a competition between various political actors to establish domains of political control. In Slovakia, Meciar pursued nationalism and republican control of broadcasting. A majority of Czech politicians sought a unified country and federal level broadcasting. (To this point, there was no Czech republican TV or radio.) They each preferred broadcasting be situated at the level that they presumed to be able (at least eventually) to politically control. As with party-established newspapers, the primary political actors asserting expectations and attitudes about broadcast media were parties.

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20. *RFE/RL Report on Eastern Europe*, "Weekly Record of Events," July 27, 1990.

21. Kusin, "Media in Transition," 10.

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As early as late November of 1989, the leadership of the Civic Forum (CF) met with representatives of Czechoslovak radio to find ways to get coverage of CF events.[22] It was finally decided that Czechoslovak radio would reserve 90 minutes for CF to broadcast news and analysis prepared by "editors (at the radio) who support CF."[23] By early January of 1990, the management of Slovak Radio met with the coordinating committee of Public Against Violence (PAV--the Slovak counterpart to the Czech CF) to assess the development of radio.[24] In both republics of Czechoslovakia, in other words, the opposition organization made early efforts to favorably deploy the state media. Within months, the political parties not associated with the CF/PAV umbrella would begin to complain that the state media (now somewhat managed by CF/PAV) were biased toward CF/PAV and against the other smaller parties. The smaller parties asserted that full freedom of information demands reporting about parties to an extent which corresponds with their significance.[25]

Clearly, the newly activated political actors could not have been expected to devise complicated rules about media access, let alone distribution of coverage, in the first few weeks of the transition, but this case does reflect an opportunity and a willingness on the part of the new political actors to step squarely into the institutions of power, even those that were used just months earlier in a way so disagreeable to these same actors. But something more subtle is evident in this case. The claim that parties should be covered based on their importance would require far too elaborate an organizational scheme to

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22. "Czech Radio, Civic Forum Discuss Media Policy," *FBIS* November 28, 1989, 34.

23. "Civic Forum to Begin CSSR Radio Broadcasts," *FBIS* November, 30, 1989, 27.

24. "Meeting with Former Radio Colleagues," *FBIS*, January 8, 1990, 29.

25. "Parties Criticize 'Biased' Media Reporting,"*FBIS*, April 11, 1990, 17.

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work. This would demand some rule about assessing parties' importance, some principle for monitoring whether coverage did comport with importance, etc. As I have argued earlier, such precise agreements would be difficult to achieve, because most actors would prefer ambiguity. Each actor is willing to take the chance at getting inordinate coverage (undeserved for its level of importance) from a media system left in only loosely defined roles. For instance, each actor/party would like to have special media coverage and privileges when that actor or party achieves its own political ascendance.

In an ironic way the new political actors' stance *against* precise efforts to disconnect parties from the state apparatus and *for* the opportunity to exploit this same apparatus is demonstrated by a Communist party demand in mid-December 1989 for a law prohibiting political parties from influencing state mass media.[26] Now clearly far removed from any kind of political authority the Communist's call for media independence was ignored for its obviously self-serving disingenuousness. Party and political actors' influence on the mass media was going to persist.

The new democratic actors assuming the old seats in the state did offer upbeat rhetoric, though their opportunism was not far below the surface. The new director of Czechoslovak radio, Karel Stary, offered high-minded assurances about the medium's democratic role, saying that all political parties should be given the opportunity to express their views. Such rhetorical commitment did not overcome the comparative political advantage (in the form of the 90 minutes of air time) granted by the radio to the Civic Forum, an advantage sanctified by Stary when he indicated that CF broadcasts would continue until CF requested that they be stopped.[27]

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26. "Reportage on Radio Appointments, Meetings," *FBIS*, December 15, 1989, 33.

27. Ibid.

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By February of 1990, even the rhetorical pretense was gone. In discussing the importance of radio, another new director, Frantisek Pavlicek, asserted that "If we're going to satisfy all political parties...it would seriously disrupt programming." Further, he asserted that radio should be "above parties and above the power and influence of executive authority." Leaving little doubt about radio's priorities, however, Pavlicek further asserted that "we want to devote a lot of time...to the Civic Forum [broadcast], and to use it well."[28]

By May (a month prior to the first post-Communist elections), an agreement on radio access was, in fact, reached. Each political party was to be given four hours of radio air time to say whatever it wanted.[29] In other words, there was an agreement on the specifics of the institution's performance. The particulars of this agreement were fairly limited, though. This was to be four hours available as a function of an election process. This was not a standing or future arrangement, and it did not apply to the regular radio and television coverage, in news for instance, of parties. There was no agreement, in other words, on whether CF had been favored and therefore no consideration of ways to redress any imbalance.

Similar attitudes prevailed regarding television. Political parties complained about biases in coverage, and asserted vague demands about balanced or fair access. By the spring of 1990 the People's Party, the Czech Social Democracy Party, and the Socialist Party (i.e., those not then popular with the electorate) criticized television for not reporting on them adequately. They further claimed, again, that full freedom of information demands coverage of parties that corresponds with their significance.[30] Party meddling was

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28. "Pavlicek Holds Briefing on Importance of Radio," *FBIS*, February 12, 1990, 19.

29. "Parties to Have Equal Radio Airtime," *FBIS*, May 1, 1990, 6.

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apparently even more blatant in Slovakia, where, in 1991, the leadership of the governing Public Against Violence allegedly instructed the Director of Television to bring a tape of an address by Vladimir Meciar (recently departed from the PAV to form an oppositional organization) for review and vetting by the PAV leadership.[31]

Government (both republican and federal) meddling also persisted in broadcast media. In the spring of 1991 the Slovak government's Council for Information Policy and the Media instructed the Director of Slovak TV not to broadcast any live reports of rallies because such material would need editing to ensure that objective information was produced.[32] Clearly, the opportunity for political chicanery following from such a procedure is substantial. The head of Slovak Television also had to apologize to Vaclav Havel for a program that criticized the federal president. To make up for the program Slovak TV broadcast "an edited documentary which (showed)...the true light."[33] Clearly, the broadcast media were organizationally subject to and politically influenced by other political actors, primarily parties and the government.

Other Old and New Institutions

The central information agency, previously the CTK, now the CSTK to recognize both nations in the federation, represents a particularly clear example of political actors using, or trying to use, an existing institutional infrastructure to pursue their political goals. We have seen that the CTK was founded in 1918 specifically to support the state building efforts of the dominant political actors in the First Republic. Throughout the variety of authoritarian

30. "Parties Criticize 'Biased' Media Reporting," *FBIS*, April 11, 1990, 17.

31. "Slovak Minister Cancels TV Address," *FBIS*, July 5, 1991.

32. Country Report, *Index on Censorship* 20 (June 1991), 37.

33. "Slovak TV Director Apologizes to Havel for Program," *FBIS* June 7, 1990, 34.

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governments endured in the Czech lands or Czechoslovakia, the CTK organization has been available for deployment by dominant political actors. The situation remains much the same today, the only difference being that now there is open electoral competition for the kind of political dominance that assures control over the institution.

Within months of the communist collapse the newly ascendant Civic Forum sustained the institutional connection between the state and the CTK. Peter Uhl, the new Director of the CTK, said in February 1990, the "CTK wants to remain a state agency, whose duty will be to provide objective news service...and to propagate the Czech-Slovak society and state...."[34] It seems just as plausible, however, that the Civic Forum wanted the CTK to remain a state institution, now that Civic Forum had an increasingly dominant position in the state. Within three months, for instance, the leadership of the People's Party complained that the CTK had broken a Civic Forum-People's agreement not to attack each other in the run-up to the first elections. There certainly was some argument over this agreement and its supposed violation, but what seems particularly interesting is the apparent belief that the CTK, nominally an independent state organization, could in fact be held politically accountable for an agreement made between two political parties. The prospects for such accountability are reasonable, however, given that CTK head Peter Uhl was a prominent member of CF, prominent enough, in fact, to appear on the party's list of candidates for parliament.[35] This grievance regarding CF control would be sustained for months to come, as in early 1991 a dozen political parties lodged complaints about CF influence over both the media and the CTK.[36] CF's Slovak partner, Public Against

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34. "CTK Head Addresses Employees on Changes," *FBIS*, February 23, 1990, 21.

35. "People's Party Complains About Media Coverage," *FBIS*, May 30, 1990, 29.

36. "Parties Oppose Civic Forum Grip on Media," *FBIS*, February 1, 1991, 19.

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Violence, apparently expected special access to the CTK also. In early 1990 PAV asked (and got) the CTK to issue a statement condemning the Bratislava Pravda, whose coverage was disagreeable to the PAV.[37]

The CTK was an already existing organization whose institutional relationships, I have claimed here, would be sustained by the new political elite to pursue their own goals. There were, at the same time, some opportunities to "create" new institutions where there had been none before. This situation generated institutional designs that were remarkably similar to those existing in other political domains. For instance, where there had not been a Czech republican level TV and radio bureaucracy, one was created that looked exactly like the federal and Slovak bureaucracy. There was no new institutional design, the rules and outcomes of which would bind all actors. As in much, if not all, the political debate about the media, the issues surrounding this new Czech institution involved the capability of the organization to guarantee an inadequately defined "balance" in the media. The new organization, in other words, was institutionally bound to the state in the same way as the other existing ones were.

Summary

In the first post-communist years political parties and the government continued their connection to the media. These connections was perhaps now less comprehensive than under the Communists, and the capacities to use the media for all-encompassing social control were now unavailable to one specific party (as no single party had nearly the central control that the Communists did), but the conceptualization of the media's dependent or compliant relationship to other political actors remained somewhat intact from the state

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37. "PAV Denounces Bratislava Pravda Reportage," *FBIS*, February 13, 1990, 23.

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socialist period. The state also retained control over the broadcast media, and the party in control of the state appears to have used that state capacity to pursue party preferences and goals. Moreover, Slovak (republican) radio and TV, over which there would be intense political conflict, were newly created in 1991 and specifically as state instititutions. In short, during the first three years of post-communist Czechoslovakia, the media were deployed, in varying degrees, by political actors as tools in pursuit of the actors' goals. The media were not freed from the long-standing connections--to the state and dominant political parties--that constrain their ability to perform their democratic functions as independent providers of information.

The Velvet Divorce: 1993 and Beyond

As early as 1991 the politics of media (especially broadcast media) became a function of the growing tension between the maintenance of the federation and growing Slovak nationalism. In many ways the politics of media reform became a republic-level issue before the actual political split took effect on January 1, 1993. Substantial Slovak political energy was spent contending that broadcast media were the province of the republican governments because they were cultural resources that should be deployed in the service of the republics. Slovak politicians sometimes expressed Slovak political independence, and their ability to make their own political decisions, by creating new republic-level--i.e., specifically not federal--institutions (both structures and rules) that established or strengthened connections between the state (or perhaps more precisely, the government) and the media. In this case, the creation of new institutions was not even enough to assure the politically independent role of the media. Rather, new media institutions were specifically created to establish Slovak governmental control over republic media and politics. The new institutions, in other words, were erected as a function of Slovak nation-

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and state-building more than as mechanisms to generate compliance with democratic outcomes.

Most Czech politicians, with significant stakes in and commitment to a federation, asserted that broadcasting was a technical resource that should be used in service of the whole state. This disagreement clearly reflects the political differences that ultimately resulted in the "velvet divorce," and emanates from the actors' efforts to create and/or control their own political domain, as well as its media. The context of this controversy, in other words, encompasses competing visions of nation-statehood. Czech politicians saw a federal state, and Slovaks saw an independent Slovak state. And both sets of actors saw the control of the media as a function of the state that each projected for itself. The cause, and more importantly, consequence of this conflict, then, are particularly relevant to the extent that they demonstrate a persistence in the expectations of state-building media on the part of political actors in both regions.[38] In a previous chapter we saw Owen Johnson demonstrate how the media were deployed in 1918 on behalf of creating the new Czechoslovak state. In the post-communist period actors have argued over which political identity the media should be deployed to support, but the point remains that political expectations of the media's service, to a goal preferred by dominant political actors, have persisted. What changed in 1993, then, was not the media law, nor media institutions, nor political expectations about media connections to the state and to political parties. On the contrary, institutional relationships were sustained or even replicated in the new national

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38. One interesting consequence for the media of this political conflict was that the two republic level news agencies did not share information. Since they both thought the other biased they could not agree to cooperate until August of 1993--8 months after the formal split, at which time they made arrangements to exchange photographs. See "Czech, Slovak News Agencies Agree to Cooperate," *FBIS*, August 4, 1993, 18.

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(i.e., republic) political domains. The only new elements involved questions of which "identity" (and its particular political agents) the media should be enlisted to support.

Slovakia

In Slovakia issues about the media developed much more as a function of Slovak national politics and especially as a function of the efforts to generate support for Slovak independence and statehood. In short, nationalist politicians, represented most clearly by Vladimir Meciar but also by others, sought republican control over the media in order to deploy them for Slovak nation-building. Conveniently, those same nationalist politicians saw themselves as the strongest embodiment of the national movement, and therefore saw themselves as ideally suited to conduct Slovak state-building as well. The result was the expectation that the media should support Slovak nationhood and these particular political actors, as the highest expression of Slovak statehood. The media were expected to become state supporting because it was "correct," at least according to those actors who saw themselves as the truest carriers of Slovak nationhood and who therefore had the right to expect media support themselves. While an argument could be made about the similarity to the central role of the Communist party in its connection to the state, such an argument neglects a longer historical legacy (going back to at least 1918) in which dominant political actors have identified themselves with the state and thereby expected media support of themselves and the state which they personally embodied. The important feature of this historical legacy is the persistence of the institutional infrastructure (government-run newspapers, official news agencies, etc.) that makes the dominant actors' control over information possible. On the other hand, new media institutions were also created, but they seem, if anything, to have been designed for the capacity to be politically influenced.

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In Slovakia, much of the controversy over political influence on the media and control over the reform process reposed in, or around, the person of Vladimir Meciar, the nationalist politician who has occupied practically every possible place on the Slovak political map. He was originally a member of the umbrella opposition movement, Public Against Violence, before he started the Movement for a Democratic Slovakia (HZDS). He has had three different tenures as Slovak Prime Minister. In the spring of 1994 he was ousted, only to ascend again in the subsequent elections. While Meciar may be the actor most visible in the conflicts over the media, he is by no means the only Slovak politician who seeks control, or who has specific expectations for media performance. On the contrary, his political opponents appear just as willing to manipulate the media in their effort to counter Meciar, but his personality and status were so dominant in these early post-Communist years that he is the primary subject of media output as well as the actor with the most incentive and capacity to try to manipulate the media. He is also the clearest example of the difference between rhetorical commitment to free media and actual political behavior.

In May 1991, for instance, when the HZDS was a proto-party organization called For a Democratic Slovakia, Meciar met with journalists and warned that information dissemination had been controlled too much by certain political parties (the Public Against Violence, undoubtedly). In an apparent attempt to support journalists' efforts to break out of the information stranglehold Meciar asserted that For a Democratic Slovakia would establish a committee that would defend any journalist ever to be dismissed for expressing his or her views.[39]

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39. "Meciar Warns of Trend to 'Monopolize' Information," *FBIS*, May 10, 1991, 6.

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Within seven months, though, Meciar filed a libel suit against the journal *SMER* and Andrej Samel, former Deputy Interior Minister, who wrote a memoir in *SMER* in which he claimed that Meciar had said that he envisioned Slovakia's role in the federation as one of strategic control over important raw materials that the Czech republic needed. The editor of the independent *SMER*, Ivan Baca, was a member of the Public Against Violence, which Meciar now bitterly opposed, and anonymous letters to Baca indicated that the lawsuit would evaporate if he would retract the damaging information. This appears, as the independent *Mlada Front Dnes* editorialized, to be a rather ham-fisted effort to "intimidate Slovak journalists to write for the right people."[40]

But four months later Meciar again *appeared* to be an advocate for journalists. In April 1992, in both republics, there erupted a controversy over a list of journalists who had been identified as former agents or collaborators with the Communist-era state security service (StB). The Interior Ministry had conducted a screening of the background of the members of the journalists associations and found 262 Czech and 120 Slovak journalists who had been involved with the StB. (Each list was the separate province of the republic governments.) When the existence of the lists was revealed, Meciar condemned the whole affair, saying the screening was an abuse of power by the current security service.

It remains unclear, however, whether this really amounts to any kind of support for journalists. A variety of other explanations seem just as, if not more, plausible. Meciar only criticized the abuse of power by a state institution that was then controlled by his political rivals. As we shall see, once in power he wields control in ways that similarly border on abuse. Alternatively, as *Lidove Noviny* pointed out, many of the journalists on the StB list who are still active continue to "toady up to power" today.[41] In what would be

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40. "Meciar Seen to be 'Intimidating' Slovak Press," *FBIS*, January 3, 1992, 8.

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an unverifiably strategic move a political actor like Meciar might see the future utility in a body of journalists, whose identities could be easily acquired by powerful actors like himself, that have shown their willingness to bend to the political winds.

What we can verify is that Meciar's HZDS won the Slovak elections in June 1992, and as Slovakia headed for independence from the Czech Republic (and Meciar sought to secure his political dominance in what would soon be an independent Slovakia) he began to exhibit increasing expectations of media compliance and increasing hostility to any idea of media independence. He became quite forceful in his expression of demands on media performance, and his efforts at control became increasingly heavy-handed.

Throughout the summer following his election victory Meciar made an astonishing variety of statements regarding his view of the media's proper role vis-a-vis the government (his government). To those journalists who opposed him he warned that they "should not wonder why we (the government) do not allow them access" to information, since the government has no "guarantee" that it will be reported "objectively." Further, he asserted, if reporters would not "voluntarily" provide a guarantee that their reports were "reliable," it would be "up to the state" to impose punitive sanctions on those reporters in order "to protect citizens from lies and manipulated information." At least one meaning of "reliable" was made clear in a statement Meciar made to the Association of Slovak Journalists for a Truthful Image of Slovakia, a pro-Meciar journalists union. Saying he did not want to distort the image of Slovakia because it might hinder efforts to attract foreign direct investment, Meciar expressed his desire that all journalists "respect the rules of ethical self-regulation."[42] Such expectations, though perhaps not codified, are all too close to typical authoritarian rules for the media.

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41. "Names of Journalists Listed as StB Agents Published," *FBIS*, May 5, 1992, 11.

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Meciar had apparently thought his election victory would eliminate these problems with the media by granting his party a certain institutionally bound prerogative that comes with electoral success. Pointing out that before the election the media had criticized the HZDS party, they (the party leadership) thought that after winning the election they would receive less criticism since the HZDS government was now legitimate. Moreover, they presumed that they would be granted the access to the media which is normally accorded government representatives.[43] Meciar's government, in other words, apparently believed it had special privileges to media access and influence that resulted from its electoral ascendance. Ever the compromiser, Meciar did assert that the "government is prepared for constructive cooperation, but if the press continues in its present ways, the government will protect itself."[44]

Noting that journalism was "getting ready for the role which (was) ahead for it in the state,"[45] the Meciar government used a variety of mechanisms of institutional manipulation (i.e., changes to the rules) and old-fashioned political pressure in the efforts to "protect itself." In the last days of the federation Meciar is alleged to have strategically used government investigations of stock companies that owned periodicals as a way to threaten editors.[46] On the first day of official business in independent Slovakia the government shut down an "independent" newspaper, *Smena*.[47] In the first month of independence the

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42. All these statements by Meciar, made at different times, are discussed in "Meciar Tries to Pressure Slovak Media into Limiting Criticism," *FBIS Trends*, August 7, 1992, 24-27.

43. "Meciar on Government Relations with Media," *FBIS*, August, 18, 1992, 7.

44. "Meciar Discusses Relations with Press Referendum," *FBIS*, August 13, 1992, 19.

45. "Meciar's Television Address to Slovaks," *FBIS*, November 16, 1992, 13.

46. "Meciar Criticized for Harm to Slovak Image," *FBIS*, November 13, 1992, 8.

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government also created the Slovak Information Service, a new institution designed to "fulfill the tasks in the protection of the constitutional system, internal order, and the security of the state."[48] Like much of the legal language about the media, this description seems to leave the institution unusually susceptible to political interpretation and manipulation, and does not indicate the protection of a strongly independent media infrastructure.

During that first year (1993) Meciar was not the only politician making demands or expectations on the media. In Meciar's government, Dusan Slobodnik, the Minister of Culture, claimed that the government lacked "freedom of the press" because it had no place to respond to or issue information.[49] Such a claim seems to ignore the apparent contradiction between the notion of "free press" and an institutionalized mechanism of governmental media influence, wherein formalized government participation is tantamount to something significantly less than "freedom."

Other actors also expressed expectations of "political" performance for the media. President Michal Kovac also called on journalists to make a positive contribution to the transformation of society by offering good constructive criticism that provides "national uplift," and expressed his support for views that were, in the words of one editorial analyst, "not conducive to general skepticism." The President also indicated that the media institutions had some responsibility to his office in his own efforts to promote Slovakia. He called, for instance, on the TA SR--the official information agency--to serve as his

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47. Robert Bonte-Freidheim, "Nationalist Government Wages Brutal War on Media," *IPI-Report*, 42 (February 1993), 7-11. Though Bonte-Freidheim calls the paper indepedent, *Smena* was actually published by a state-owned organization.

48. "Law on Slovak Information Service Passed," *FBIS*, January 22, 1993, 25.

49. "Minister Discusses Government Media Policy," *FBIS*, April 20, 1993, 18.

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"extended hand" in furthering Slovak national interests, presumably to be determined by the President.[50]

As for Meciar, within a year of Slovakia's independence his support was declining, in part because of his attacks on the media. By the time the Chief News Editor of the Radio was dismissed for giving too much space to the opposition, and seven of nine members of the TV council were replaced with members from the government coalition, Meciar's HZDS had actually lost its majority. According to one analysis, Meciar's slipping political fortunes motivated his further efforts to control the media.[51] Whatever the cause, it is clear that Meciar maintained an intense effort to influence and control the media.

By early 1994 Meciar was ousted as Prime Minister, as the HZDS suffered too many defections to sustain its mandate. Following this, Meciar intensified the rhetoric (through the device of the sympathetic *Republika* publication, which was officially a paper produced by the state information agency, the TA SR) about his indispensability to Slovak independence. He asserted that he "managed to achieve what no Slovak has [done] in several decades or even centuries" by leading them to independence.[52] *Republika* even went so far as to compare the new government to the puppet regime established by the Nazis in 1939, and called Meciar's removal a "Czechoslovakist, communist, Hungarian conspiracy."[53]

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50. "Kovac Calls for Media to Help Transform Society," *FBIS*, March 16, 1993, 18; "News Agency must be President's 'Extended Hand,'" *FBIS*, March 25, 1993, 14; "Kovac Urges more Optimistic Media Reports," *FBIS*, April 7, 1993, 19.

51. "Meciar Tries to Muzzle Opposition Media," *FBIS Trends*, December 8, 1993, 25.

52. Quoted from Bratislava Radio, in "Meciar's Ouster Sets Stage for Early Elections," *FBIS Trends*, March 23, 1994, 38.

53. Quoted from *Republika*, in "Meciar's Ouster Sets Stage for Early Elections," *FBIS Trends*, March 23, 1994, 38.

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New Government, Same Game

The new government of Jozef Moravcik would not abide such attacks for long. Almost immediately, Roman Kovac, the Deputy Prime Minister, met with TA SR Director, Dusan Kleiman, to clarify certain economic issues about *Republika*. Saying it was an "absurd situation when a state agency publishes a daily that is filled with invective against the crucial state bodies," the new government called for the swift privatization (which could be deemed an improvement over the Meciar tactics of eliminating those hostile to him) of the paper.[54] It was not long, however before the new government, like others before them, would turn the axe of political dismissals on the media management.

Within weeks of Meciar's ouster the new governing Coalition Council "considered whether the present TA SR management provides sufficient guarantees that the problems of the agency, particularly those associated with the publication of *Republika*, will be resolved." Vladimir Miskovsky, chair of one of the coalition parties, also indicated that any consideration of TA SR Director Kleiman's replacement would be the prerogative of Prime Minister Moravcik.[55] Within days Kleiman was in fact replaced by Ivan Melichercik, whose first order of business was to dismiss Dusan Kerny, the Chief Editor who had been a Meciar appointee.[56] Almost across the board in Slovakia, and other countries, political actors seem to grant winning or dominant politicians the authority to shuffle the media institutions in ways more preferable or agreeable to their own needs.

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54. "Cabinet Criticizes TA SR Chief on Paper," *FBIS*, April 18, 1994, 18.

55. "Possible Removal of TA SR Management Viewed," *FBIS*, April 19, 1994, 12.

56. "Government Replaces TA SR Director," *FBIS*, April 20, 1994, 11; TA SR Director-General Dismisses Chief Editor," *FBIS*, April 28, 1994, 21.

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Personnel was not the only problem. The Moravcik government quickly began complaining about media content, too. The new TV program "Aktuality," the government claimed, was not objective because it failed to mention any ideas from a speech by Prime Minister Moravcik, while they reported an HZDS deputy's speech more extensively. This generated a policy change at the TV, which included specific guidelines for amounts of coverage. For instance, 60 minutes per month would be granted to extra-parliamentary political entities that had won at least 2% of the popular vote in the previous election.[57]

The National Council (i.e., the government) tried to take its influence over TV one step further, attempting to institutionalize TV Council appointment procedures more favorable to the government. Specifically, they proposed an amendment to the Law on Slovak Television that would disband the sitting council (appointed under the Meciar government) and reconstitute a new council in proportion to the party representation in parliament,[58] a formula which would obviously favor the dominant and/or governing parties. When that proposal met political resistance the government took the all too typical step of dismissing several members of the TV Council and replacing them with members from the parties of the governing coalition.[59]

The Old Government, Anew

In the elections several months later Meciar's HZDS won a plurality, with approximately 35% of the vote. After intensive maneuvering, Meciar was finally invited to try to form a government. Upon doing so, he returned to the same patterns of behavior he

57. "Government Accuses STV of Lack of Objectivity," *FBIS*, April 20, 1994, 10; "STV to Enhance 'Objectivity,'" *FBIS*, April 20, 1994, 11.

58. "'Liquidation' of TV's Independence Feared," *FBIS*, May 3, 1994,. 10.

59. "TV Council Members Protest Dismissal," *FBIS*, May 11, 1994, 7.

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and his government had exhibited previously. He expressed expectations about media performance, saying, "The access road to radio will be open for us. The Director is a man we have chosen. The same will apply to TV." Further, "we expect an institution to be established that will start dealing with the shaping of public opinion."[60] The political dismissals continued, too. All but one member of the TV Council was replaced. A Slovak TV commentator and the Radio Director were dismissed in a wave of state dismissals that the opposition paper *SME* called "purges" by the governing HZDS. According to a Czech analyst, only days after the replacements on the broadcasting councils the news programs became showcases for the government's speeches. Further, the new councils cancelled several programs that satirized issues and politicians, even though the shows were popular.[61]

Meciar and his government became almost comically ham-handed in their efforts to influence the media and journalistic performance. In the summer of 1995, for instance, Meciar, the Prime Minister of Slovakia, presented prizes to various publications for their work in promoting the Slovak Republic and bolstering Slovak statehood. Not surprisingly, most of the awards went to publications affiliated with Meciar's HZDS.[62]

Meciar's government also made decidely more pro-active efforts to generate the media output it desired. In a proposed press law sponsored by the government later that year (1995), the Ministry of Culture would have been given the authority to refuse to register a periodical if there was a "well-founded suspicion...that state, constitutional, or person's

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60. "Meciar Sees 95 % of Media as Opponents," *FBIS*, December 23, 1994, 8.

61. "Kovac Criticizes HZDS Interference in Media," *FBIS*, December 28, 1994, 6; "Attempt to Regulate Broadcast Media Reported," *FBIS*, February 27, 1995, 12.

62. "Awarding of Journalism Prizes by Meciar Criticized," *FBIS*, August 10, 1995, 6.

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rights might be violated."[63] Though such authorities were not granted to the Ministry, the episode reveals quite clearly the extent to which the Meciar faction believed it reasonable to shape the role and status of the media.

Vladimir Meciar has been a central, and intriguing, figure in the politics of Slovak media. While he represents the strongest and clearest example of attempts to manipulate, constrain, bind (and otherwise minimize independence) of the media, other politicians and political actors have shown themselves all too willing to play the game in very similar ways. The result has been that in many critical ways the media have been held in a dependent position vis-a-vis political actors and state institutions, and media output has been politicized and compromised by the demands of the party conflicts that arise out of competitive electoral politics. In short, the Slovak media remained, for many years, highly inadequate in the measures of freedom and independence, because the sources of their dependence were sustained, not broken.

Czech Republic

Where Slovak political actors emphasized republic-level issues and institutions, in the Czech Republic, dominant political actors focused on the preservation of the federal state, and emphasized the importance of federal media. As the split between the two republics became increasingly imminent, the Czechs had, of course, to refocus their energy on political and media issues within the republic. With this change in focus Czech political actors also refocused their emphasis on the connection between their new state and the media. The political expectations, institutional connections, and general state-media issues were reconcentrated from the federal level to the Czech republic. I have already discussed

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63. "Planned Press Law 'Fettering' Mass Media," *FBIS*, December 27, 1995, 9.

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cases in which institutional features, which had not existed in the Czech republic when it was part of the federal republic, connecting the state to the media were created or replicated (the republic level CTK, the republic level TV and Radio bureaucracy) in the now independent Czech Republic. In the newly created institutional vacuum that accompanied Czech Republic independence, the Czechs opted to reconstruct certain features of the institutional connections that inhibited media independence and freedom. As in Czechoslovakia until 1993, these institutional connections allowed political actors in the independent Czech Republic to express their political goals and preferences while simultaneously trying to downplay those of their rivals. This political maneuvering over the media is most clearly exhibited by Vaclav Klaus, the long-time Prime Minister of the Czech Republic, and his ODS party.

The general attitude of many political actors reinforced media dependence. Klaus' attitudes, in particular, appeared to be quite similar to those of Meciar. Media compliance with government goals and agendas was not only reasonable but expected. In fact, Klaus commanded special access to and privileges in the media. He wrote his own column each week in the paper *Lidove noviny*, where he was also interviewed at least once a week. The first private TV station--TV Nova--granted him a five-minute weekly spot to answer viewers' questions and comments. And he often complained that Czech TV and the CTK information agency edited or ignored his speeches (for which he got an apology form the TV).[64]

But the political and institutional relationships of dependence go beyond the person of Prime Minister Klaus. In June of 1993, for instance, the chair, Peter Uhl, of the TV and Radio Council, resigned, claiming that both the government (Klaus' majority ODS) and the

64. Steve Kettle, "The Czech Media Since the Fall of Communism," *The Journal of Communist Studies and Transition Politics* 12 (December 1996), 42-60.

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Parliament (meaning the opposition) were interfering in the council by trying to inject politics into the institution's performance.[65] While Uhl mentions the opposition, the government and the state clearly have more opportunities available to exploit and/or constrain the media. Pointing out that his ODS party was disappointed with biased news coverage, Klaus, for instance, expressed the need to pass a law changing the relationship between Parliament and the Radio and Television.[66] The Prime Minister was undoubtedly thinking that Parliament should have less ability to interfere with the media and with the government's efforts to "oversee" them.

Establishing private broadcasting, though ultimately achieved in 1994, was also a politically charged process. Among the principals in the group awarded (by the broadcasting board) the first private TV broadcasting license were two individuals associated with the political party that had lost power in the 1992 elections. PM Klaus made it clear that this situation was intolerable, saying the board's decision was "politically dangerous." An ODS deputy, Petr Cermak, made it even clearer, vowing to do "everything in my power" to reverse the board's decision, as he "absolutely (could) not accept that the main news medium...should be in the hands of failed politicians."[67]

Meddlesome political behavior also reached the print media. In September 1994, PM Klaus and deputy ODS chair Cermak were involved in the removal of Pavel Safr, editor-in-chief of *Telegraf*. In order to inject some life into the paper, Safr had moved away from the previous assoication with the ODS. The paper's majority shareholder was a state-owned investment bank, which objected to the new direction. Safr alleged the bank was under

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65. "Radio, Television Council Chairman Resigns," *FBIS* June 1, 1993, 10.

66. "CTK Issues Text of Klaus' Congress Speech," *FBIS* December 1, 1993, 10.

67. See Kettle,"The Czech Media Since the Fall of Communism," 1996 for discussion of this, and other, episodes.

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pressure from Cermak. The editor and 17 senior journalists resigned in protest. Safr's replacement was a reporter whose previous duties consisted mainly in interviewing Klaus and writing pro-government editorials.[68]

Other media-related agencies have also been part of the political conflict. The CTK directors are typically directly aligned with the governing party; political dismissals have persisted; and mass resignations of staff have occurred. All these factors left the agency so debilitated that a newspaper publishing organization started an alternative information agency. The broadcasting board, originally comprised of broadcasting experts, was disbanded in 1994 and reconstituted along party lines.[69]

The police are even part of the media-politics mix. They supported a proposed regulation that called for all journalists working at rallies or demonstrations to be clearly marked by wearing placards with the Czech word for "press" on their chests and backs. The police claimed that this was in the journalists' interests, as it protected them from being mistaken for demonstrators. The police spokesman announcing the program apparently did not give much credence to the very real prospect that such identification might make the journalists the target of reprisals. The program specifies, for example, that professional journalistic equipment may not be confiscated, an indirect acknowledgement of just how the policy might be abused. At the same time, the policy allows the police to order journalists to provide their credentials, in order to prove their right to be accorded the treatment outlined in the policy.[70]

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68. Ibid, 53. Also see Jeremy Druker, "Why was Editor Removed," *IPI-Report* 43 (Oct-Nov 1994), 32.

69. Ibid, 52, 59.

70. "Journalists Protest Police Order on Identification," *FBIS* October 25, 1993, 11; "Journalists Criticize Latest Police Directive," *FBIS*, November 5, 1993, 8.

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Summary

A wide variety of trends in both Slovakia and the Czech Republic reflect similar patterns of persistent politicization and dependence of the media. Both states maintained ownership and control of the broadcast media for at least several years. Both states own organizations involved in newspaper publishing. In both, appointment of broadcast media personnel is the prerogative of the dominant actors or parties. In both states, the governments hold attitudes that suggest they expect media support. Finally, these political attitudes and the behaviors that result from them are not limited to certain actors or certain "persuasions." Even Vaclav Havel, the leading icon of East Central European dissidence and democracy, generated some controversy when his spokesman (who later denied the whole episode) said that the President would not grant interviews to press agencies because of his lack of control over how the interview would be published.[71]

Conclusion

While politicians almost universally support, in rhetoric, the concept of free and independent media, the realities in Czechoslovakia from 1989 have been characterized by political infringements on media freedom and independence. In what Slavko Splichal called the *deja vu* approach, he claims that the new political elite across East Central Europe are replicating the political hegemony formerly held by the Communist party.[72] The terms have obviously changed--anti-communism now dominates, but the effective control by a

71. Jeremy Druker, "President Havel Angers Press," *IPI-Report* 43 (July-Aug 1994) 29.

72. Slavko Splichal, "Media Privitazation and Democratization in Central East Europe," *Gazette* 49 (Fall 1992)3-22.

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small elite remains, and the bulk of the public are isolated from participation in the media and politics.

The three "cases" discussed here support Splicahl, insofar as the media are subject to the constraining political machinations of small groups of competing elites. In all three cases, the primary barriers to the creation of more comprehensively free and independent media were (and to some extent remain) a) the unclear legal status of the media and the lack of legal reform specifying the media's role, b) the persistence of institutional structures that bind the media to the state, and c) persistence of "political expectations" on media, held by both politicians and some journalists. Each of these factors in its own way contributes, either intentionally or unintentionally, to the maintenance of a media system that is only moderately free, independent, self-sustaining, and effective in democratic politics.

As I have tried to argue in this work, the extant institutional relationships grant opportunities for political actors to seize and use the organizational resources to their advantage. Further, these resources derive from patterns of institutional relations that are not specific or even unique to the Leninist period. The CTK information agency, for instance, has been a political tool of Czechoslovak nation and state-builders since the early part of the 20th century. The state has also maintained an ownership role in broadcasting for a similarly long period. The examination of current media politics also reflects a long-standing pattern of politicians' direct involvement in writing for the press. It seems clear, in other words, that several legacies of media dependence were created long before Leninism, and have simply been passed through the various political systems endured by Czechoslovakia.

On the other hand, the creation of brand new institutions does not seem to have generated the democratic performance expected by the transitions approach. The broadcasting boards, for instance, were founded, in some cases, after the transitions, yet

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were subject to overt and intense politicization. In sum, the cases of Czechoslovakia, Slovakia, and the Czech Republic seem to lend greater support to the idea that political actors, of whatever identity, will use available political resources to pursue their goals. For contemporary actors, free and independent media have less utility than more compliant and constrained media. As the political incentive to make them free is ambiguous, at best, the likelihood of the media being freed seems relatively low.

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CHAPTER VI

HUNGARY: POLITICAL PARTIES VIE FOR MEDIA CONTROL

> In a fledgling democracy there is...a need to learn the unwritten rules, which takes some time. (Arpad Goncz, President of Hungary)

Turning to Hungary, I will try to demonstrate that the unwritten rules actually being learned by journalists, media managers and politicians are similar to those of Czechoslovakia, the Czech Republic and Slovakia. Organizational resources are available for exploitation by political actors, and to survive and thrive actors will seize these opportunities. Specifically, the reform of media law was extremely contentious and politicized; political demands, by parties and the government, on the media were thinly veiled at best; the state maintained extensive organizational and practical control over media institutions.

A Finnish media observer, Per Erik Lonnfors, writing in late 1989 said of Hungarian media "[t]here is a vacuum of structure in the transition from party control and ownership to a privately owned and operated media system."[1] And political actors, unlike nature, adore a vacuum, because filling the void means political opportunity. In important ways, however, Lonnfors mis-identified the source of the void. There was not so much a vacuum of structure as a vacuum *in* the structure. The organizational forms created and left by the state socialist regime were largely left in place, especially in the electronic media,

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1. Per Erik Lonnfors, "Fixing the Hungarian Media," *IPI Report* 39 (January, 1990), 10.

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and the politics of reforming the media became a fight for control over that institutional structure. The political battle over the media, then, was for the power to define the orientation and mission of the existing media institutions, not over the construction of new sets of media structures, nor over a serious revamping of the media "process" in politics.

In this chapter I will examine the course of institutional reconstruction of the news media in Hungary, which focused on the role the media played vis-a-vis the government and the opposition parties. In critical ways this focus perpetuated a kind of political dependence of the media; political parties competed to assume the position evacuated by the Communist party. For the 6 years that Hungarian electronic media operated without a new media law, the government basically expected media support and the opposition decried what they saw as government control of information and free speech. The opposition typically asserted that the media did not give them equal time, and the government chastised journalists for not portraying the country (i.e., the current government) in a positive light. When the elections in 1994 put the previously opposition Socialists into power they began to assume the position and attitude held by the former governing parties, and the former governing parties (now in opposition) began issuing the kind of complaints previously heard from the formerly opposition Socialists. In other words, it appears that the political parties maintained expectations of deference from the media toward the government, even to the point that during government turnover, party leaderships acknowledged the prerogative of the new government to make key personnel changes in state-managed media. (This phenomenon develops differently with respect to print media, which I shall discuss below.)

Several important trends illuminate this general persistence of media subordination to politics and parties. First, the state continued to directly control (at least) the electronic media. Substantial, though decreasing proportions of the media budget came from the

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government, and the leadership positions of television and radio were political appointments. Second, and central to the politics of Hungarian media reform, the inability of the parties to agree on a new law governing the electronic media left television and radio in a kind of "dependency trap." With no legally defined status for the media, political forces (mainly parties) in society used political means to exert influence over the media and their outputs, while at the same time covering themselves in rhetorical commitments to independent "free" media. The primary issue in this political conflict was over the rules regarding appointments to the boards that oversee each branch of the electronic media.

Third, the political parties made demands for their own access to the media at the same time that they expected a board of politically appointed leaders to create "impartial" media performance. The call for impartiality, then, became the political rallying cry for those who did not like the way they were covered in the media. Fourth, politically motivated dismissals from the jobs in the electronic media continued. In sum, substantial structural elements, and their attendant political relationships, persisted from earlier political eras long into the transition. In the transition, the politics of media reform revolved around the efforts of the new political actors to win control over the institutions and the process of their reform. This will be most clearly reflected in the political conflict over the media law, and the issue over the parliamentary voting rules for its adoption.

The case of print media is less dramatic, but no less political. What was initially an almost unrestrained freeing of the print media quickly turned into a concern over foreign ownership. At one point the government even intervened in the process of a prospective newspaper purchase by a Swedish media firm. I will discuss these trends and how they illustrate the persistence of institutional and organizational rules, roles, and relationships that constrain news media reform after a brief review of the specific efforts to make legal changes to the media.

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Playing Politics with the Media

As the end of one-party rule became increasingly imminent the Communist party undertook a variety of important tactical efforts to save some political authority for itself, and/or alter the electoral playing field to the party's advantage. These efforts set trends and established patterns that affected the subsequent political processes of media reform. In some cases the types of issues over which political actors would argue were first raised in these declining days of the state socialist regime. For instance, the debate over the procedures for appointing the management of broadcasting stems from the creation of the broadcasting supervisory board in late 1989. In other words, the broadcasting boards, over which there was such tremendous political fighting, were created as a strategic maneuver by a party seeking to improve its political prospects in the nascent democratic game. These new institutions are a legacy of the last days of the state socialist system (and the first days of strategic political behavior under an inevitably democratizing regime), not 40 years of entrenched Leninist ideology.

In September 1989, when negotiations about elections were underway the party leadership doubtless foresaw its future as one party among many competing for political authority. In the short-run, though, the political environment leading up to the first election could be constructed to help the party as much as possible. With respect to the media, the party did make concrete concessions to the opposition about coverage, but these were accompanied by choices and actions that may have been designed with the party's interests in mind.

As early as September it was agreed that the opposition would be given two 30-minute time slots on television, and in October the opposition parties signed a contract with Hungarian television that granted each party two one-hour reports and one 40-minute report during each party's three-day congress. Furthermore, the Communist party and state made

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rhetorical commitments to undoing the connection between the media and the party-state structure. For instance, the party committee on television relinquished it rights to influence content in September 1989. Later that month the state announced that by March 1, 1990 both TV channels would be genuinely independent, "both from an economic and control point of view."[2] In mid-November, as opposition movements throughout East Central Europe increased their demands for power and authority, the Presidium of the now renamed Hungarian Socialist Party went so far as to say that the means of mass communication were the property of the whole society, not one party.[3]

Given the actual political behaviors of the Communist party, though, it seems more than plausible that this rhetoric was either designed to make the party more appealing by making it look more open and flexible, or to maintain as much party control over media until the elections, after which increasing media independence from the party could not be forestalled. A post-election freeing of the media made tactical sense in any case. If the Communists were to do poorly in the elections, they would prefer a media system more independent of a state controlled by their political opponents.

Before the election, though, media control was still in the party's interest. In November 1989, Prime Minister Imre Pozsgay (Communist) called for continued government control of the media during the transition to the first election. A committee to monitor media performance during the election had been proposed two months earlier,[4] and the only question that remained was whether this group, appointed by the government,

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2. "'Genuine Independence' for the TV Channels," *Foreign Broadcast Information Service Daily Report* (hereafter, *FBIS*), September 22, 1989, 25.

3. "Information Policy Set," *FBIS* September 12, 1989, 24; "Opposition Congress TV Coverage Plans, *FBIS*, October 11, 1989, 53; "Party Bodies in TV to End Political Activity," *FBIS*, September 15, 1989, 38; "HSP Reactions on Mass Media," *FBIS*, November 17, 1989, 60.

4. "Information Policy Set," *FBIS*, September 12, 1989, 24.

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would be composed of representatives of the political parties or independent media experts.[5]

The logic of a board made up of representatives of political parties (the formulation eventually chosen), according to Prime Minister Pozsgay (who also sat as the chair of this supervisory board until January 15, 1990), was that "the parties (could) keep each other at great distance from the institutions only by supervising them."[6] In other words, with a place on the board the parties would be able to monitor each other, making sure that none of them got too much control over the media institutions. This circuitous logic is unclear, at best. It remained to be elaborated how parties could keep each other at great distance form an institution by placing themselves squarely in the middle of the administration of the institution.

The real logic may have been to paralyze the board and thereby TV and radio. By late November one opposition party, FIDESZ, predicted that a media board consisting of party representatives would degenerate into political bickering as each party representative pursued his/her party's parochial interests instead of acting with impartiality.[7] There is a plausible tactical rationale for the Communists to do this as well. Disorganized media led by bickering parties would be preferable to media too tightly controlled by the communists (which would be maladroit in the new political environment) or free enough to organize a focused attack on the party.

Within a week FIDESZ predictions were borne out. Both the President and the Program Director of Hungarian TV resigned. The President, Gyula Berecky, claimed that

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5. "Pozsgay Urges Government Control of Media," *FBIS*, November 15, 1989, 59.

6. "Pozsgay Comments on Board's Work," *FBIS*, December 4, 1989, 63.

7. "Group Says Government Media Commission a 'Mistake'," *FBIS*, November 24, 1989, 50.

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the 15-member board, with representatives from the various parties, had intensified the parties' political struggle over TV, thereby paralyzing it. Istvan Vijsinger, Program Director of the First Channel, said the TV "leadership...cannot maintain the equal distance...from the parties, organizations, and persons fighting for the direction of country and possession of the institution."[8]

Several important features of this brief transition interlude had consequences that reverberate through Hungarian media politics for the next several years. First, the assertion that the communication media belong to the whole society informed a continuing debate about the definition of the "public interest" or "public service" electronic media. It was agreed by most political actors that private ownership (of radio and TV, at least) would be counterproductive to democracy and, in the short-run, economically unmanageable anyway. The debate, then, revolved around the way to make a state institution perform its public interest functions. The question of managerial control, and especially the procedure for selecting management personnel, became the focal point of this debate, while the question of whether a government-financed organization with politically-appointed leadership could ever actually achieve "impartiality" was simply ignored.

Second, the pattern of political relationships between parties and the media was set such that parties fought each other over how to define and constitute the media, and its public interest functions. The media, in other words, were and would remain the subject of politics, and political conflict over their reconstitution would persist. This conflict appears to be tacitly, or unconsciously, accepted by political actors. We have seen, for instance, Pozsgay make a convoluted argument about parties keeping distance from the institution by being enmeshed in it. Further, the program director of TV seemed to indicate that his

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8. "President Berecky Resigns," *FBIS*, November 28, 1989, 72.

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concerns stemmed not from the fact that actors were, in his words, fighting for possession of the institution, but that the supervisory board could not keep its distance from those actors. At the same time the opposition called for "impartial" media. Though a precise explanation of what impartial media would *look like* and *behave* was not forthcoming, the practical expectation was that the opposition would get the kind and volume of coverage that it thought it deserved.

The intangible and highly variable nature of the idea of "public interest" gave all the parties something over which to continually disagree. So long as there was some institutional relationship between the media and parties, or the state, (such as power over appointments to media leadership positions), the parties could argue over which personnel and political definition of the media best constituted the "public interest." This argument would have tangible political consequences as each party asserted its own demands for appropriate media performance.

The stakes were quite high in this conflict. The power to define the mission (and thereby content, broadly speaking) of the media appears to be presumed to grant to those who hold it the ability to create the boundaries of public knowledge and awareness. If a political actor can convince the people to see things the same way s/he does, then public support and votes will more likely swing in his/her direction. And the easiest way to get people to think the same way you do is to control the information that is available to them. This assumption motivated the continuing battle over the legislative changes regarding the media's role and relationship to the state. The political parties debating the changes knew that institutional relationships, and especially control over these, implied a kind of political power that everybody wanted, but which nobody could possibly grant to any other.

This was the stage on which an almost internecine inter-party conflict took place, a battle that raged so intensely it came to be known in Hungary as the "media war." And the

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foundation of this conflict was the almost irresolvable argument over legislating changes in the legal status of the media and its relationship to state/government actors.

Media Law

The debate over legal changes in the status of the Hungarian media is fairly representative of East Central Europe. New political elites and legislators engaged in contests for political power as well as authority in the process of constitution-making. They were, in other words, political actors vying for power in a political game whose rules they were also rewriting, or at least attempting to rewrite. The main focus of their political efforts with respect to the news media fell upon the question of which public or state authority would regulate and oversee broadcasting. While Hungarian politicians, like those around the region, expressed their commitment to finding ways to insulate broadcasting from political influence, politics prevailed, in the process of reform, in the management of the broadcast media, and in the political maneuvering over the press.

The efforts to rework broadcasting law were the most politicized. For nearly six years various governments, parliamentary parties, and commissions offered their versions of legislation designed to fix the political procedures of regulating public and private broadcasting; and for nearly six years there was no agreement. During this period of legal and regulatory limbo, authority over the media was a consequence primarily of the balance of political forces and their power in the domestic political game.

The first thing to note about the political conflict over broadcasting and legal changes thereto is that the focus of the debate, as I have noted, turned on the issue of which political or state body would oversee it. The primary point of contention, for instance, revolved around the procedures for appointing the directors of Hungarian Radio and Television. Politicians made rhetorical commitments and arguments about the appointment procedure

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that best created media impartiality and even independence, but there appeared scant consideration of the logical and political tension between the abstract ideal of independence and a set of rules by which upper management serves at the will of the state (whatever branch), which also provides significant portions of the institution's budget.

The resulting political conflict among the various actors is somewhat predictable then, as each proposed legislation about regulating the media that basically reflected the institutional interests of the actor behind the proposal. Governing parties tended to offer proposals envisioning greater governmental or state control over the media bodies and their managerial appointments. Opposition parties tended to propose greater parliamentary (and sometimes presidential) control of these procedures. These self-interested efforts were whitewashed in the rhetoric of media independence and impartiality, but even those proposing greater parliamentary control seem not to have recognized this as a formalization of political connections (i.e., dependence) between the broadcast media and political parties that maintained their own institutional affiliation with the state.

One of the critical sources of this conflict comes from the June 1990 amendment of the 1959 Constitution. In what appears an innocuous enough paragraph, the Parliament enacted rules requiring a two-thirds majority for the adoption of laws on "appointment of [public news media] leaders, licensing of commercial [broadcast] stations, and the prevention of monopolies of information."[9]

When the Hungarian Democratic Forum (HDF) won power in the first elections in spring 1990 they had an agreement with the Alliance of Free Democrats (SZDSZ) about the procedures by which the new parliament and government would change laws concerning the reconstruction and regulation of the broadcast media. According to the subsequently

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9. Act XL, 1990; Article 61, 1990 Constitution. The Constitution and legal acts can be found in the Nexis/Lexis database "Central & East European Legal Texts."

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opposition SZDSZ, the parties had agreed that *all* features of the media law would be subject to the two-thirds requirement. After the election, the governing HDF said that the special requirement applied only to those issues specifically stipulated in the constitutional modification of June 1990; namely, appointment of media heads, regulating the supervisory committees, anti-monopoly measures, and licensing. All other matters would be subject to simple majority.

In a rather unabashed assertion of his party's political power, the HDF Cultural Committee chair said that the SZDSZ was wrong to assume the constitutional modification gave some ratification to the earlier inter-party agreement "because they (the SZDSZ) think intentions can be legally registered."[10] The failed hopes of HDF-SZDSZ cooperation could not, according to the HDF parliamentarian, be legally registered nor sanctioned by the court. In other words, an inter-party agreement about procedures they *might* adopt once they occupied the seats of government had no legal standing and is therefore not binding.

As time went on, HDF's efforts to delineate the process of media reform won it little real political power to affect the media law. The opposition resisted the majority HDF by withholding support for any element of media legislation, and since the four issue areas for which the constitutional modification did stipulate two-thirds majority (which required some opposition support) were the most contentious and politically charged, they were the center of a political disagreement that wrecked any hope of achieving a new media law.

The controversy essentially boiled down to the issue of the appointment procedures for the heads of broadcasting. In the absence of a new media law regulating the appointment and dismissal process, the government asserted its authority over the procedures. By the

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10. "Assembly Debates National Media Issues, *FBIS*, July 27, 1990, 18; "Government Approves Bill on Mass Media," *FBIS*, July 27, 1990, 18.

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spring of 1991, Prime Minister Antall invoked a 1974 (i.e., Communist era) decree putting the broadcast media under the purview of the Council of Ministers. This action put the Prime Minister on a collision course with the popularly-elected President, Arpad Goncz, from the opposition SZDSZ.

The governing HDF did make some concessions, but for the most part the party leadership asserted its power in pursuit of its preferences on other media-related issues. In July 1990, the government, and the HDF parliamentary majority, rejected a bill to establish a media supervisory committee of independent experts, something to which the party had agreed in principle just months earlier. The government also rejected a proposal that the heads of media be appointed by the President with proposal by the Prime Minister. In what must have seemed a reflection of the government's political strength and will, the legislation finally adopted gave appointment authority to the President, but with a countersignature from the Prime Minister.[11] This last feature would prove to the be the source of the most contentious aspect of the whole conflict over broadcasting and the new media law, as well as a bitter political row between the President and the Prime Minister. This "media war" would see sitting media heads dismissed by the Prime Minister, but ordered to remain by the President. The respective political parties would use the controversy to accuse the others of sabotaging both democracy and Hungary. And most important, the specifics of the debate would increasingly degenerate into political maneuvering and bickering; the broadcast media would become subject to efforts at political control by parties, and to redefinition by proponents of identity politics that made demands over media performance and content. In short, an institutional design in which a) the state

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11. "National Assembly Rejects Bill to Reform Media," *FBIS*, July 26, 1990, 41; "Assembly Debates National Media Issues," *FBIS* July 27, 1990, 18; "Government Approves Bill on Mass Media," *FBIS*, July 27, 1990, 18.

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remained in control of broadcasting, and b) state authority was vested in rival executive positions (whose institutional identities were refashioned *after* the transition) generated a political struggle for control over the media that paralyzed their ability to effectively function as independent democratic institutions.

The "Media War"

As the Polish media analyst Karel Jakubowicz points out, Hungary made several different attempts to resolve the potential political conflict between state authorities for control of the broadcast media by creating mechanisms of institutional control that gave many actors a voice in the process.[12] The first such sharing of authority was the procedure by which the President nominated and the Prime Minister countersigned broadcasting appointments. But any congratulatory impulse over their commitment to democratic principles and procedures evaporated as political conflict emerged within a year of the first appointments. The ensuing battle, between the President and Prime Minister, but also involving the political parties, was nominally over the authority to appoint and dismiss the heads of broadcasting, but this issue reflected a deeper question of control. The very essence of the media organizations and their work would eventually become part of the debate. This particular aspect of the political conflict over the media (between the President and the Prime Minister) really only subsided after the elections in spring of 1994, when the Socialists (along with the Free Democrats) formed the government, and the newly appointed media heads were more agreeable to the President. I review this "media war" at some length here, as it highlights many of the important features of the politicization of the media and the reform process.

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12. Karel Jakubowicz, "Freedom vs. Equality," *East European Constitutional Review* 2 (Summer 1993), 41-47.

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Institutional Politics, Conceptual Problems

In July 1990, President Goncz appointed, and the Prime Minister Antall countersigned, Csaba Gombar to head Hungarian Radio and Elemer Hankiss to head Hungarian Television. Both were respected academics, and their endorsement from President Goncz, then one of the most popular politicians, gave them a general seal of approval. Upon their appointments both spoke of the need to make their respective media impartial (though it remains unclear exactly how that was to be determined). They also argued for the importance of avoiding interference from political parties in the functioning of the broadcast media.[13] Interestingly, they did not discuss the problem of interference from the government and/or state, which would be the source of their problems and both of their downfalls within the next few years. This omission is curious because the state is the actor against which regulation of freedom of expression and media must be most specifically guaranteed.

The first sign of politicization of the media heads, their work, and the appointment process generally, came in September 1991. Radio chairman Gombar had created a list of deputies to be appointed to the radio which, he claims, Prime Minister Antall "interfered" with. The Prime Minister responded to Gombar's concerns by saying that it is the right and duty of the government to approve the organizational rules of radio of television.[14] The Prime Minister's position reveals two interesting political attitudes. First, in his estimation the government does in fact have some authority over the media institutions (so they are less than completely independent of the government), and second control extends

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13. "Appointees on Impartiality, Intervention," *FBIS*, August 1, 1990, 33.

14. "Antall Responds to Chairman's Remarks, *FBIS*, October 1, 1991, 23.

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to matters of selecting personnel, revealing that "organizational rules" is a broad and politically interpretable concept.

This opening political salvo was followed several months later by arguments on the issue from the Chair of the Cultural Committee in the National Assembly (also from the HDF, Prime Minister Antall's party). Specifically addressing the question of dismissal authority, he said that the Prime Minister can recommend that the President dismiss the broadcasting heads and the President can only refuse if dismissal would endanger state order.[15] The most important political consequence of this argument, which by his subsequent behavior President Goncz appears to have accepted, is that it leaves room for the President to maneuver politically. The argument that state order is somehow jeopardized by a prime minister's proposed actions regarding media heads is available to be made. It remains unclear whether the Cultural Committee chair or the HDF leadership thought this reasoning effectively stifled potential Presidential opposition to the Prime Minister's decisions, but the course of events revealed that it did not.

Also unclear is the degree to which any actors were aware of the fact that the arguments for control over broadcasting were about which state authority would get control. Some actors (usually the opposition) supported parliamentary authority over the broadcasting boards and appointments, and some wanted a board of independent commissioners (also usually the opposition), appointed by the government or by Parliament, but none seemed to consider the possibility that each of these were simply variations on the question of what level of state authority would maintain control over broadcasting.

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15. "Cultural Committee Clarifies Media Head Question," *FBIS*, February 10, 1992, 13.

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Institutional Politics, Practical Problems

These problems of logic quickly became full-blown political reality. In the spring of 1992 the Cultural Committee (dominated by Prime Minister Antall's HDF) held a hearing to consdier the performance of the media heads. TV president Elemer Hankiss did not even attend, and Radio president Csaba Gombar walked out, calling the proceedings a "kangaroo court."[16] After the hearing, the committee declared Gombar unsuitable for his position, and Prime Minister Antall asked President Goncz to dismiss Gombar.[17] President Goncz refused to fire the radio president, claiming that to do so without a media law prescribing the process for selecting new heads and generally regulating TV and radio would heighten the prospect of government control over the broadcast media. Without a law there would be no foundation for legal recourse to government actions in the matter of the media.[18]

President Goncz proceeded to elaborate his position by saying that granting such unrestrained authority to the government jeopardized order, a position Goncz would maintain for some time.[19] Antall's governing coalition reacted sharply, criticizing Goncz, arguing that he violated the constitution since Antall's recommendations for dismissal did not endanger order. Some observers even thought the government was trying to force the president to resign. The administrative secretary of state in the prime minister's office reiterated that the constitution says that a *law* must regulate the supervision of the broadcast media, so until a media law is adopted, the 1974 decree granting the Council of Ministers

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16. Robert Bonte-Friedheim, "Nationalist Government Wages Brutal War on Media," *IPI-Report* 42 (February 7, 1993), 7.

17. "Antall Asks President to Dismiss Radio Chief," *FBIS*, May 8, 1992, 9.

18. "President Goncz Refuses to Fire Media Heads," *FBIS*, May 11, 1992, 15.

19. "President Goncz 'Will not Relieve' Radio President," *FBIS*, May 21, 1992, 20.

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authority of radio and TV remains in effect.[20] In other words, according to the Prime Minister, the Prime Minister is vested with the authority that this particular Prime Minister had, in fact, seized.

While this conflict played on, the Constitutional Court considered whether the 1974 decree was in fact valid in 1992, and whether the President had acted appropriately during this affair. (The new Constitutional Court in Hungary is aggressively pro-active, rendering judgment on more than law, and even considering legal issues simply out of its own desire to do so.) In June the Court handed down an ambiguous decision. Claiming that the President can seriously disrupt the performance of basic tasks and since he is not accountable to the National Assembly he cannot intervene in the dismissal process the way he did. At the same time, though, the Court also declared unconstitutional the invocation of the 1974 decree. But the court let everyone off the hook by suspending the proceedings on the case until a new media law was adopted, which the Court mandated be achieved by November of that year.[21]

Both the Prime Minister and the President claimed victory in the Court's decision. Goncz thought his actions were lawful, and the court partly affirmed this by saying that the government (and Antall) could not stand on the authority they had claimed. At the same time the Court had validated the government's claim that Goncz had usurped authority over the dismissal process. Both Arpad and Goncz used their confidence in the validity of their own position to take the whole conflict to a higher level.

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20. "Governing Coalition Statement Criticizes Goncz," *FBIS*, May 28, 1992, 17; "Statement on Media Reporting of Government Issues," *FBIS*, May 28, 1992, 17; "Kadji Discusses Decrees on Radio, Television," *FBIS*, May 28, 1992, 17.

21. "Court Rules President Acted Unconstitutionally," *FBIS*, June 9, 1992, 21.

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Within weeks of the Court's decision Prime Minister Antall called for the dismissal of both Gombar and Hankiss.[22] President Goncz declined to fire either of the broadcasting chiefs. Bolstered by their convictions that the Court's decision validated their own positions, Antall and Goncz both asserted the same rationale for their preferences and actions, and the aftermath was predictable. After Goncz refused to fire the two broadcasting heads, the state secretary of the prime minister's office, Tamas Katona, denounced Goncz, raising the prospect that his membership in an opposition political party motivated his actions.[23]

President Goncz, but especially Prime Minister Antall's governing coalition, did undertake new measures to try to reconstruct the media the way they thought appropriate. For his part, President Goncz offered new proposals for the appointment and dismissal procedures; proposals which, if accepted, could break the deadlock over the media law. The Antall government rejected the proposals.[24]

The government took more aggressive, and more summary, measures. In the summer of 1992 the government reclassified all broadcast media personnel, including the radio and TV presidents, as civil servants. This enabled the government to suspend TV president Hankiss in December when alleged financial misconduct at the TV was discovered. The actual case against Hankiss was unclear, at best, making the whole affair appear rather "political." He was suspended from his managerial responsibility for the infractions alleged against two other TV officials, of which the case against one was quickly

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22. "Premier Calls for Removal of Radio, TV Heads," *FBIS,* January 24, 1992, 15.

23. "Goncz Decides not to Fire Radio, TV Chiefs," *FBIS*, July 2, 1992, 19; "Government Denounces Goncz's Media Decision," *FBIS*, July 6, 1992, 20.

24. "Goncz's Proposal on Media Chiefs Rejected," *FBIS*, December 18, 1992, 12.

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dropped.[25] According to an International Press Institute censure issued in December, Hankiss' suspension was politically motivated.[26]

Politics and Finances

Also in December of 1992 the Parliament adopted, over objections from the opposition, a law putting the radio and TV under the budgetary control of the Prime Minister's office. The opposition worried that this move was "deeply unconstitutional as it changes the level of independence of these institutions." The government tried to allay these fears by asserting that it continues to firmly represent and assert the freedom of the press, and that giving the cabinet budgetary control in no way affects independence.[27]

In the latter claim the government may be right. The low level of independence implied by governmental control may not significantly differ from the level of independence implied by parliamentary control. None of the opposition actors has elaborated just how parliamentary supervision provided any independence except from control specifically by the government. The opposition, in other words, appears willing to ignore the fact that its control (through Parliament) is also a form of dependence. They reveal this indirectly in asserting that government control of the budget would change the *level* of independence of the media institutions. While this may be true, it appears to be only a matter of degree.

The Constitutional Court's October 1994 action to annul the decree on putting the TV budget in the Prime Minister's office did not completely clarify the situation. In the

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25. "President, Premier in Conflict over TV Head," *FBIS*, December 10, 1992, 14; "Probe into Charges Against TV Chief Halted," *FBIS*, December 22, 1992, 24.

26. "Prime Minister's Office Rejects IPI Statement," *FBIS*, December 22, 1992, 23.

27. "Radio, Television to Fall Under Prime Minister," *FBIS*, December 4, 1992, 18; "Spokesman on Radio, TV Budgets, Army Personnel," *FBIS*, January 12, 1993, 26.

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absence of a law guaranteeing media freedom, according to the Court, putting the TV budget in the Prime Minister's budget would generate too much opportunity for political control.[28] Apparently, the court thougth that a media law could allow Prime Ministerial control of the TV budget without risking government control, a dubious proposition at best.

As before, the political reality gets as muddled as the logic. In January 1993 both Hankiss and Gombar resigned as heads of the broadcasting media, saying "we can no longer guarantee unbiased reporting."[29] The assertion by the government of budgetary control over the media was apparently the last offense in this long political battle. The parliamentary opposition, apparenlty imbued with the sense that particular individuals could protect media balance better than others, voiced concern that the resignations would endanger impartiality.[30]

Again, we face the difficulty of determining the boundaries of "impartiality." The government claimed that Hankiss and Gombar were biased in favor of the government's opponents, while the government's opponents claimed both were impartial. What the two sides are more likely disagreeing over is which bias to honor. In other words, the journalistic profession had, at that point, an ethic that had been grounded in party loyalty. New ethics of "media freedom" (in Western media systems we think of independent objectivity) were ill-defined and poorly rooted, if at all, so the competing political parties fought over the definition of journalistic responsibility. But as the fight over the media was a fight for authority over the institution, "responsibility" was constructed as whatever

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28. "Court Annuls Decree on Government Funding TV," *FBIS*, October 19, 1994, 17.

29. "Radio, TV Heads Resign," *FBIS*, January 8, 1993, 15.

30. "Opposition Sees Radio, TV Independence in Danger," *FBIS*, January 15, 1993, 20.

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served the interests of the actor (party) doing the defining. Certainly the rhetoric of independence and freedom flowed strongly, but the political behaviors of the actors revealed efforts to establish media performance that suited their own tastes. Subsequent developments in the "media war" only substantiate this further.

New Broadcasting Leadership

President Goncz took no action on the resignations of Gombar and Hankiss, and so without a media law to delineate the appointment procedures the Vice Presidents of each media assumed leadership. Laszlo Csucs took over the radio and Gabor Nahlik assumed control of TV. The government obviously preferred Nahlik over Hankiss, as revealed by an earlier incident. In March of 1992, while Hankiss was on leave at Stanford University, Nahlik overturned some of Hankiss' policies. When Hankiss flew back to Budapest to address the situation the government had protected Nahlik from disciplinary action.[31]

As acting heads both Nahlik and Csucs met with government approval. By the fall of 1993 they had replaced "opposition journalists" with "colleagues close to the current administration" and effectively eliminated broadcasting that was critical of the government.[32] Csucs made some obviously political appointments to the radio, but Nahlik caused the biggest stir by eliminating journalists and editors from an "alternative" program called "Evening Balance." The act was called "political" by the opposition, while the government claimed it was "legal";[33] neither claim, of course, excludes the other.

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31. Bonte-Friedheim, "Nationalist Government Wages Brutal War on Media."

32. "Goncz Asks Prime Minister to Resolve 'Media War,'" *FBIS*, November 2, 1993, 10.

33. "Office of Prime Minister Statement on Media Controversy," *FBIS*, November 1, 1993, 19.

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The flap started with a "Balance" program covering an incident during an October 23, 1992 celebration of the anniversary of the 1956 revolution in which President Goncz was booed by some "skinhead looking youths." The journalists in question were dismissed for "technical manipulation for political purposes" and for deliberately misleading the public. (The issue revolved around whether they had edited the tape of the incident.) Members of the governing party thought the program distorted "something" (it's unclear what), and "this led to employment consequences."[34]

Though this obviously remains a matter of speculation, as certainly none of the principals would readily admit to such behavior, the whole incident vibrates with politics. The government, partly supported by and seeking to maintain the support of nationalists and anti-communists, would doubtless be concerned to see political behavior critical of President Goncz, a member of the opposition, characterized as perpetrated by "skinhead looking youths." The government, rightly or wrongly, thought it could make a case that journalists at the TV, whom they had been implicitly calling communist sympathizers all along, manipulated coverage to put the protestors in as bad a light as possible in order to salvage the dignity of the President. Istvan Csurka, a right-wing nationalist Member of Parliament, made this clear, if implicit, when he said, "the dismissed TV people lie"[35] and that the program was "communist-liberal...agit prop."[36]

For their part, the journalists and their supporters were able to make a legitimate case for government intrusion into the media's work. According to the opposition, the dismissals were to make unbiased broadcasting impossible, thereby making it possible to

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34. "Interior Minister Boross Views Media War," *FBIS*, November 4, 1993, 11.

35. "Csurka Comments on Discharged Journalists," *FBIS*, November 4, 1993, 10.

36. "Csurka-Engineered Radio Dismissals Put MDF on Defensive," *FBIS Trends*, March 23, 1994, 43.

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divert attention from the government's policy failures.[37] But such an argument never really addresses the question of manipulation, and, again, both of these political claims can easily co-exist. Further, the issue is not made any clearer by the lack of definitive political standards, not to mention law, that specifies the independent institutional status of the media and the performance of journalists. As a result, political manipulation is deemed acceptable where it is not expressly constrained. As Csurka put it, "Everyone lies a little." The problem with the "Balance" program was that it was Marxist, i.e., its lies were anti-government. Hirado and A Het (TV news programs) lie a little too, according to Csurka, but in favor of the government.[38]

By December of 1993 the status of journalists and the media was so uncertain that the International Federation of Journalists and the International Federation of Newspaper Publishers issued statements expressing their perception that press freedom was "threatened" by the Hungarian government's clamping down on the radio and TV. Statements by members of the governing HDF asserting the contrary seem to make the two organizations' concerns all the more realistic. In response to statements by President Goncz over the issue of the dismissed TV personnel, for instance, Prime Minister Antall said he was all for press freedom, but protection of the freedom of the press should also protect against "internal terror" from political circles against those whose stand is different.[39] And State Secretary Katona said coincidentally that Hungarian society is aware that there is press freedom in Hungary, even if not everyone shares the opinion that the government could have a little more of this freedom.[40] Finally, Ferenc Kulin, Chair of

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37. "Television Affair Discussed by Politicians," *FBIS*, November 1, 1993, 14.

38. "Csurka Calls for Tough Action on Media," *FBIS*, November 9, 1993, 13.

39. "Antall Replies to Goncz's Letter on Media Issues," *FBIS*, November 9, 1993, 13.

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the Cultural Committee, said in December, "If the cabinet really suppressed the freedom of the press, the often unfounded criticism of the government...would not appear in the press."[41]

The most striking feature of these comments is the persistence of a kind of logical dualism. On the one hand, the media are asserted to be free and not controlled by the government. On the other hand, the government might possibly deserve the power to impinge on that freedom. There is, in other words, less of a resignedly tolerant attitude (as might be expected from Western politicians) than an assumption that the output of free media should still serve the ends of the government and state. It remains fundamentally unclear, though, precisely how the government might "have" some of the press freedom. Moreover, if the criticism of the government is unfounded, could that not conceivably motivate the government to critically respond to the media, creating a kind of "chilling effect," since "employment consequences" are possible.

Turning up the Pressure; the Election Campaign

With parliamentary elections set for May of 1994 the opposition was convinced that the government was not just chilling the media, but attempting to control media output by ensuring that pro-government journalists populated the radio and TV. With a staff largely pro-government, and after eliminating programs critical of the government, the government was presumed to be trying to direct public attention away from its own mediocre performance. Up until the two months immediately preceding the elections, the issue of the media seemed to recede a bit. This was no doubt partly a result of the unexpected death of Prime Minister Antall in December 1993. The governing HDF was now not only showing

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40. "Katona Views Media Issue," *FBIS*, November 6, 1993, 16.

41. "MDF Official Views Censorship Allegations," *FBIS*, December 17, 1993, 15.

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poorly in the polls, but it had to find new leadership with only five months until the election.

In March, however, controversy over the media came back strong. On March 4, acting radio president Csucs dismissed 129 radio personnel, including "many of the radio's most prominent reporters."[42] The dismissals were to take effect immediately, and they included a period of notice during which the dismissed could not work in radio or TV. Citing a National Audit Office investigation, Csucs' justification for the cuts was that staffing was too high. Former Cultural Committee chair Ferenc Kulin said, in fact, that the government had asked for these cuts in 1991, but then-president of radio Csaba Gombar ignored the request.[43]

The opposition, of course, decried the dismissals as politically motivated, and claimed that this would unfavorably influence the elections. The opposition Federation of Young Democrats (FIDESZ), said, for instance, that the move "annulled the hope of a clean election."[44] But it seems plausible that this turn of events actually worked against the government and in favor of the opposition by revealing the manipulativeness of the governing party, but it does seem clear that "politics" was behind the dismissals. For one thing, the chairman of the National Audit Office protested the dismissals, contesting the justification about overstaffing offered by Csucs. Further, the dismissals completely eliminated the staff of a program called 168 Ora (Hours), which, according to Csucs, deviated from objective informing in a way that did not favor the government. Saying he

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42. "Csurka-Engineered Radio Dismissals Put MDF on Defensive," *FBIS Trends*, March 23, 1994, 40.

43. "Party Officials React to Radio Dismissals," *FBIS*, March 8, 1994, 14.

44. "Csurka-Engineered Radio Dismissals Put MDF on Defenisve," *FBIS Trends*, March 23, 1994, 40.

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did not expect any program to be the mouthpiece of the government, he made it clear that neither would he tolerate a mouthpiece for the opposition. Hungarian radio should be, according to Csucs, for Hungary and Hungarian interests.[45] Again, we face the difficulty of determining the measure of the Hungarian interest. Further, concern over the radio serving as anyone's "mouthpiece" implies a prospective or presumed institutional relationship between parties (and the government) and radio.

The status of the radio president (and TV President Nahlik, for that matter) make it clear that the broadcast media, and their management, were in fact politicized. Immediately following the radio dismissals the opposition appealed to Prime Minister Boross to dismiss both Csucs and Nahlik, asserting they were biased. The government equivocated, with Tamas Katona, state secretary of the prime minister's office, saying the dismissals were the "right step at the wrong time."[46] The government even tried to lay some blame on the opposition, saying the situation got so bad because the opposition blocked the government's efforts to craft a new media law.

For its part, the opposition SZDSZ made it clear that impulses of political self-interest were common to all parties involved. Responding to the dismissals, the party leadership said that Nahlik and Csucs will be "out seconds after the new government is in" (i.e., after the SZDSZ wins the imminent elections).[47] The May elections did in fact put a coalition of the Hungarian Socialist Party and the Alliance of Free Democrats in power, and Nahlik and Csucs were removed. As we examine the details of media politics it will become clear how

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45. "Party Officials React to Radio Dismissals," *FBIS*; "Radio Official Lashes Out at Critics," *FBIS*, March 21, 1994, 21.

46. "Csurka-Engineered Radio Dismissals put MDF on Defensive," *FBIS Trends*, March 23, 1994, 41.

47. "Parties Support, Condemn Radio Dismissals," *FBIS*, April 6, 1994, 11.

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much of the political conflict over the media remained the same, despite the change in position of the actors.

Role Reversal

For a short time after the Socialist party's May 1994 election victory the high-minded rhetoric of media independence and freedom flowed heavily once again. Prime Minister-designate Gyula Horn said the government expects and will tolerate criticism.[48] Socialist deputy Ferenc Kosa spoke eloquently that "unbiased, honest, socially supervised operation of the information system...is a necessary prerequisite for democracy."[49] He also outlined the three main tenets of the MSZP media program: Public ownership, public supervision, and clear public service statutes. Further, the appointment process would stay the same, the supervisory boards would draw from a range of society, and the free market must be kept out of broadcasting because foreign economic interests could endanger sovereignty. While the rhetoric sounded good, practicable methods of social or public supervision and functional definitions of public service had still not yet been established. And with actual procedures remaining unchanged it should be no surprise that "politicization" of the media and their reform also persisted.

Broadcasting Heads, a Redux

The election results gave a mandate to the Socialists, in coalition, to form a new government. While the process of coalition formation continued, the six dominant parties (the two coalition partners and the four opposition parties) agreed that appointments to the

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48. "Prime Minister-Designate Presents Program," *FBIS*, July 15, 1994, 12.

49. "Socialist Deputy Presents Party Views on Media," *FBIS*, May 20, 1994, 9.

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leadership of broadcasting should be by consensus, specifically rejecting the 1974 decree giving sole authority to the government.[50] Almost as fast as this commitment had been made, though, it was broken. Gyula Horn, Prime Minister and head of the MSZP, and Istvan Peto, Interior Minister and head of the SZDSZ, submitted the names of six individuals to serve as broadcasting heads and deputies before the discussions (with other parties) about prospective appointees had even finished.[51] For its part, a "media expert" from the junior coalition partner SZDSZ claimed that the six-party consensus fell apart because the opposition did not participate honestly.[52]

The opposition (which now included the formerly governing HDF) did not agree to these nominees, and so asked President Goncz not to approve their appointments. Goncz (SZDSZ) did approve the proposed appointments, and a rather predictable backlash arose. The opposition FIDESZ party claimed it was "hypocritical" of the MSZP to nominate one of its members (to head radio) since MSZP had complained when the HDF did the same thing previously. Appointment within the party, according to a FIDESZ spokesman, abrogated everything that the coalition parties had stood for when they were in the opposition.[53]

Coinciding with the political moralizing, a second stream of thinking, openly acknowledged in some cases, but probably widely accepted in private, developed which recognized that the media are more subject to changes in political forces than to previous rhetorical commitments. After the HDF lost the May elections, Deputy Chair Ferenc Kulin

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50. "Culture Minister-Designate Views Tasks, Prospects," *FBIS*, July 15, 1994, 17.

51. "Parties Ask Goncz Not to Approve Media Heads," *FBIS*, July 18, 1994, 19.

52. "Media Expert on Legislation, Frequency Allocation," *FBIS*, August 1, 1994, 15.

53. "Parties Ask Goncz Not to Approve Media Heads," *FBIS*, July 18, 1994, 19.

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spoke openly about the broadcast media, and revealed the political attitudes elaborated throughout this study. He said, "obviously the political forces which now have the right to make personnel decisions will reorganize the leadership of these two institutions in accordance with their taste and will."[54] In other words, rhetoric about free media and complaints about untoward party influences on broadcasting appear to have a substantial element of political posturing, while the dominant party's political power over media is accepted as a fact of life.

Reflecting the current government's willingness to exercise the right of reorganization, Istvan Sziranyi, the new chief of radio sustained the political nature of the media conflict by saying those who had been dismissed from broadcasting by the previous government would be rehabilitated. At the same time he claimed that until a media law was passed, freedom at the radio would be guaranteed by "professional integrity" and "political correctness".[55] While notions of "political correctness" undoubtedly lack the unique social implications that pertain in American politics, Sziranyi's statement is rife with ambiguity that obscures the possible political intentions behind a screen of highfalutin rhetoric. While "professional integrity" sounds like a worthy pursuit, the professional and ethical foundations of such integrity remain unelaborated. It is undoubtedly a regular feature of politics that politicians offer appealing rhetoric and sort out the details, usually in their own favor, later. To the extent that this process applies to the media and media reform, then clearly "politics" is still a central part of the whole picture.

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54. "MDF Official Views Election Results, Prospects," *FBIS*, May 20, 1994, 8.

55. "New Chief of Hungarian Radio Interviewed," *FBIS*, August 23, 1994.

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Media Law, a Redux

The new government's draft media (broadcasting) law (conceived over the objections of the four opposition parties, which claimed the governing coalition changed earlier proposals that had won substantial support[56]) was equally ambiguous in its explanation of the goals of the legislation. According to those working on the draft law, its aim was "to establish the legal guarantees necessary to guarantee the freedom of information people need to form independent opinions; foster freedom of expression in the electronic media; and prevent the formation of information monopolies that threaten that freedom."[57] This, according to the bill's sponsors, necessitated "oversight" of public radio and TV. Again, the question of what oversight actually looks like is the critical issue, and according to the explanation, the state would not allow the market mechanism to provide inadequate, unbalanced information. And if this does happen, the state would have to reestablish balance.

The central question of the debate over the media and the new law still revolved around constructing procedures for selecting the leadership of the broadcast media. As previously, it appears that the political actors assumed there exists some set of selection rules that will "guarantee" "balance" or "impartiality" (or whatever other vague descriptor one might choose) of media performance. And yet again, the proposed legislation focuses on the composition and selection of the board that will generate this balance, rather than on tangible expectations of how balance would actually be measured and operationalized. In the new government's proposals a five-member board would be elected by Parliament; the President of each medium would be selected by a two-thirds majority of Parliament, unless

56. "Opposition Parties View Draft Media Bill," *FBIS*, August 25, 1994, 12.

57. "Basic Principles of Media Law Discussed," *FBIS*, August 31, 1994, 20.

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there are two unsuccessful votes, then simple majority would suffice; and each medium would also become a one-person corporation to be owned by the state, founded by the National Assembly, with ownership rights exercised by the speaker of the National Assembly.[58] Explaining how this yields "impartiality" would be an unusual trick, as such an institutional connection between political actors (many of whom also sit in the government) and the media clearly reflects an on-going dependence of the media, and fully sustains the possibility for politicization and manipulation of broadcast media performance.

The proposed media law was not short on other specific state controls on broadcasting. The 99 page law, for instance, prescribes the number of minutes of commercials allowed each hour, the frequency with which commercial stations may interrupt movies for commercial breaks; and the amount of Hungarian “content” that will be maintained. On more politically charged issues the parties of the governing coalition had difficulty agreeing. The junior coalition partner (SZDSZ) claimed, for instance, that the governing Socialist Party thought that the government should "stay involved" in broadcasting, a position the SZDSZ did not accept.[59]

A month later, the opposition, which, by the "agreement" to seek six-party consensus, should be involved in crafting the media law, would not consent to the government's proposals, so the government submitted its bill without opposition support. The proposed law provided for the creation of one public foundation and one supervisory committee for all of the public service media.[60] Like so many before it, this law was not passed.

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58. "Draft of New Law on Central Media Detailed," *FBIS*, October 12, 1994, 25.

59. "Party Heads Comment on Media Bill Disagreement," *FBIS*, October 18, 1994, 25.

60. "Coalition Agrees on Draft Media Bill," *FBIS*, November 16, 1994, 14.

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Summary

Within a year of taking office, the new Socialist government had engaged in similar kinds of behaviors, of which they had been so critical, as the previous HDF government. The Socialist government sought and maintained control over broadcasting and the appointment process thereto, and the government attempted to gain control over the creation of the media law. Finally, like the HDF before it, the new Socialist government engaged in widespread politically-based dismissals in the media.

In the spring of 1995, one thousand dismissals were ordered at the Television, and while the government contends it was only for budgetary reasons and that the actual personnel decisions were made at the agency itself, it remains somewhat more complicated than the governing party might wish. Personnel decisions may indeed be made at the TV agency itself, but the agency is directed by a "government man." Furthermore, politicians from the governing Socialist Party admitted there was specific consideration of firing a particular individual, in this case the Chief Editor of the Evening News.[61]

On the other side, the new opposition played its part, too. Laments about government control now came regularly from the former governing party. In short, the roles were reversed, but the role-specific behaviors remained the same.

New Broadcasting Law Achieved

Finally, in December 1995, a new media law was passed. Among other things the law mandated that Danubius (the second TV channel) would be privatized, and the public service TV and radio, and DunaTV (broadcast to Hungarians living in neighboring countries) would all become joint stock companies run by a board of trustees.[62]

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61. "Horn's Adviser Views Talks on Media Law," *FBIS*, April 12, 1995, 13.

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To this point, political actors of all persuasions had invested tremendous hopes, at least rhetorically, in the new media law. I have tried to demonstrate how politicians frequently blamed the lack of a media law for the travails of the media and the efforts to establish their independence. But even after the media law was passed the political problems examined here did not necessarily abate. Problems over the relationship of the broadcast media to the state and the government continued, and independence remained tenuous. In short, political actors persisted in their general behavior of media control.

Broadcasting officials still exhibited tendencies that reflect overtones of political orientation to their work, as Tamas Revesz, chair of the National Radio and TV Body (ORTT), revealed. Just a few months after the media law passed, he said that domestic applicants for broadcast licenses would have their "intellectual background" taken into consideration.[63] Further, the government and the opposition continued to see the other as "politicking" over the media. Just 6 months after the media law passed the government announced that implementation of the franchising system might be slower than expected because the broadcasting infrastructure was not in place. The opposition, predictably, accused the government of intentionally sabotaging the implementation, a charge which the government, obviously, denied.[64]

New connections of political groups to the media administration were also being made. In March 1996 ethnic Hungarians living abroad were given the power to appoint some of the membership of the foundation that runs DunaTV, the channel for Hungarians living in

62. "National Assembly Approves Media Bill," *FBIS*, December 22, 1995, 8.

63. "Hungary: New Media Official Assesses Tasks," *FBIS*, March 15, 1996, 13.

64. "Hungary: Media Law Implementation Said to be 'Endangered'," *FBIS*, May 17, 1996, 21; "Hungary: SZDSZ Chairman Peto Views Legislative Issues," *FBIS* May 22, 1996, 20.

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neighboring countries.[65] Clearly, this seems a reasonable gesture (better than local Hungarians running the whole network), but it still reflects an increased (not decreased) formalization of the connections between the state, political actors, and the media.

Finally, in the summer of 1996 the heads of both radio and TV expressed their concern that the government was trying to subvert the "independent" status of the electronic media by renationalizing certain broadcasting assets. In a proposal to amend the media law the government asserted that some broadcasting dues and fees, then in arrears, would be paid by the State Privatization and Asset Management Corporation in exchange for state ownership of some media assets.[66] In short, even after the passage of the media law, in which so many hopes for independence and impartiality had been vested, the government, the state, and political parties all continued to play politics with the performance and output of the media, and persisted in their efforts to maintain the politically dependent institutional relationships the media had long had.

Print Media

The politics of print media reform and control differ somewhat from that of the electronic media, though in many practical ways the political behaviors and outcomes are similar. Dominant political actors, sometimes the state, have tried to pressure print journalists about the output they generate; the state has maintained and expanded its ownership in newspapers; political dismissals and politically motivated pressure for dismissals continue; and nationalist commitment is used as a means for assessing the quality of journalism. While these similarities generally support the basic argument about

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65. "Hungary: Ethnic Hungarians Agree on Media," *FBIS*, March 19, 1996, 17.

66. "Hungary: Radio, TV Chairmen Fear 'Renationalization'," *FBIS*, July 30, 1996, 22.

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continuing media dependence and exploitation by political actors, the print media were also seen as less critical to the efforts of political actors to influence information dispersal. I proceed now with a brief review of these trends in the politics of print media reform.

By late 1989 and early 1990 Communist party-owned and controlled newspapers were "spontaneously" privatizing, specifically separating themselves from the party before some other actor could wrench control from the now weakening party. The economic ground on which these papers established their independent existence was shaky, though, and several papers sought foreign investors. *Nepszabadsag*, the party's central daily newspaper, sold a 40% stake in itself to the German firm Bertelsman AG. The government newspaper, *Magyar Hirlap*, also sold 40% to Robert Maxwell's holding company. Seven county newspapers, former organs of the party, transferred full ownership to Axel Springer, also of Germany.[67]

As Lanczi and O'Neil point out, the personnel of these newspapers remained from the earlier period, and were predisposed against the conservative government elected in the spring of 1990. The new government, angered by the ideological attack coming from journalists, sought to counter this trend by reestablishing state involvement in the press. First, the government intervened to block the purchase of *Magyar Nemzet* by *Dagens Nyheter*, a Swedish paper, and instead organized a sale to Hersant, a French group whose political views were more agreeable to the conservative Antall government. The government then moved to more than influence who bought other newspapers. The wholly state-owned publishing concern, Hirlapkiado (HK), proceeded to purchase 80% of *Esti Hirlap* after Maxwell's death. The HK eventually bought *Magyar Nemzet* back from the

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67. Andras Lanczi and Patrick O'Neil, "Pluralization and the Politics of Media Change in Hungary," *The Journal of Communist Studies and Transition Politics* 12 (December 1996), 86-87.

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Hersant group. *Reform* and *Mai Nap*, papers owned by Rupert Murdoch, were also "returned" to the government controlled Hungarian Credit Bank. The State Property Management Corporation also owned a "significant (including, for example, three political dailies)...newspaper empire."[68]

Government or state ownership of newspapers was as extensive in 1995 as in 1990. Beyond direct state ownership, two new papers, with close connections to the government, were formed. In early 1991, *Uj Magyarorszag* was formed not as a government daily, but as a paper that "look[s] upon the views and activity of our government with confidence."[69] The company that owned *Uj Magyarorszag* was a joint stock company comprised largely of state-owned companies.[70] *Reggeli Pesti Hirlap*, which struggled since its inception in 1990, was purchased by a foundation backed by stated-owned firms and became a pro-government publication.[71] Finally, by 1995 increased efforts to sell (or liquidate for the purpose of recouping losses incurred by the state) newspapers began yielding greater privatization, even though most of the government held papers routinely showed losses.[72]

As with state control of the electronic media, state ownership of the print media has enabled government politicians to interfere with newspapers' work. One of the most prominent episodes involved the dismissal of the editor of *Esti Hirlap*, owned by the state-run HK. According to the daily *Magyar Hirlap*, Attila Kovacs was dismissed from Esti

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68. "Progress in Newspaper Privatizations Analyzed," *FBIS*, April 27, 1995, 10.

69. "Chief Editor of New Paper on Upcoming Publication," *FBIS*, March 13, 1991, 34.

70. Edith Oltay, "Hungarian Radio and Television Under Fire," *Radio Free Europe/Radio Liberty Research Report* 24 (September 1993).

71. Lanczi and O'Neil, "Pluralization and the Politics of Media Change in Hungary," 87-88.

72. Ibid.

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Hirlap for publishing "unspecified 'erroneous information'" about the government's sale of a third paper, *Expressz*, to a Canadian firm. Peter Molnar, director of the state-run HK, went so far as to remove a page from *Esti Hirlap* in which the dismissed editor's colleagues had written an account of the events. The paper was printed with a blank page five instead of the information regarding the firing. Holding up the blank newspaper page in Parliament, the opposition claimed "political motivation" lay behind the dismissal, and that the government was attempting to "intimidate journalists."[73]

Overt government or state control was not the only form of political pressure bearing down on print media. General political expectations, especially informed by nationalist appeals, were laid out as a means of evaluating press performance. In early 1993, for instance, the governing party's (HDF) parliamentary head, Imre Konya, said that if the HDF party sees that journalists have honest intentions, they will be help the press by "giving the maximum possible information." Further, "Assistance from the press is vital for the involvement of the whole society in the on-going process." It remains unclear how anyone could discern honest intentions, or what kind of help the press might reasonably expect from the governing party, but many actors made nationalism and national identity the measure of these ambiguous notions.

Conclusion

In 1996, Freedom House, which rates the countries of the world for how "free" they are, moved Hungary down from 'free' to 'partly free,' due somewhat to the persistent political constraints placed on the media. Politicians, journalists, and scholars offered various explanations for Hungary's supposed deficiencies. Julia Tardos of the Hungarian

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73. "Firing of Editor Sparks Charges," *FBIS*, April 24, 1995, 16.

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Socialist Party asserted that journalists have servility in their genes from the state socialist period. Gyorgy Csoti, of the conservative Hungarian Democratic Forum, said that politics interferes in the information process because politics and economics are connected.[74] The controversial political scientist Bela Pokol explains that all the actors struggle intensely over the media because their parties establish their identities by and through the media (coverage), rather than through grassroots organization.[75]

The latter explanation, while a specific analysis of the Hungarian media scene, comports with the general observations and analyses offered here. What Pokol is saying, in so many words, is that Hungarian political actors have sought to use or exploit or manipulate the media and journalistic output in pursuit of their political objectives. The current study tries to demonstrate that the opportunities for doing so were particularly widespread, given the persistence of institutional relationships of media dependence on the state and political actors/parties.

The experience in Hungary seems to support such a claim of media dependence and political actors' exploitation of the organizational resources deriving from that dependence. The "media war," between actors vying for power within the state, reflected actors' efforts and intentions to pursue their parties' interests by controlling the institution of the media. The conflict over the construction of a governmental or state oversight mechanism that would adequately generate "fairness," or "objectivity" in media output reflected not only a grave misapprehension about exactly what independent media are, but what they should be. Finally, the inability to create a legal foundation that guarantees the integrity of media independence sustains the kind of political opportunity for institutional manipulation.

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74. "Hungary: Politicians, Journalists View Freedom of the Press," *FBIS*, May 14, 1994, 23.

75. "Political Scientist: SZDSZ Controls Media," *FBIS*, March 16, 1995, 16.

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It would be an overstatement to say that politics in Hungary (for the first six or seven years after "1989") consisted in numerous parties openly competing to assume the dominant position once held by the communist party, but at the same time it would also be an overstatement to claim that the media won extensive independence from the state and the political actors therein. Attitudes and actions, of all the parties, reveal that electorally successful political parties did expect and endeavor to arrogate to themselves greater influence and control over the media. The reversal that followed from the 1994 elections shows that these expectations are not limited to one party or kind of party, but are pervasive among political actors across the spectrum.

To put all this back in the perspective of the broader arguments advanced here requires assessing the historical continuities that continue to manifest themselves in the post-communist period. As in the Czech and Slovak cases, there is significant continuity in the quality and character of media institutional relationships from the pre-Nazi nationalist period, through the Nazi phase, and the Communist stage up to the present.

Advocacy, instead of objectivity, still permeates media output. In the nationalist struggles of the mid-1800s, the authoritarian 1930s, the state socialist years, and the democratic 1990s the boundary between politics and media was fairly indistinct, making media independence questionable. Parties, the government, the state, and sometimes individual politicians started their own newspaper outlets in order to pursue their political goals. Today, as 150 years ago, ideas of independent, objective media are not a well-established part of the political landscape.

The creation of new institutions has not particularly ameliorated the circumstances of this politicization of the press, either. The broadcasting boards, created as a function of the transition itself, were the subject of intense debate and political maneuvering. Important

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rules regarding the boards were inadequately settled, and political actors seized on the ambiguity as an opportunity to twist the institution to their own agendas.

Finally, in the most general terms, I am arguing that political actors will exploit the organizational resources available to them in the institutional relationships before them. As such, actors will seek to use and sustain the institutional connections of the media to the state. This, I contend, holds for all actors, regardless of political ideology. The case of Hungary, in which two opposing parties undertook a veritable reversal in roles and behaviors, demonstrates that, in fact, the media are subject to the political machinations of parties and politicians.

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CHAPTER VII

POLAND: MEDIA CONTROL IN THE NAME OF GOD AND COUNTRY

> I was the leader when the Communists lost power. We had to take over the press, as well as almost everything else. However, there was no apparatus other than the existing one, so we took it over. (Lech Walesa, President of Poland)

Media politics in Poland, as in the other countries examined here, is the story of political actors exploiting the institutional relationships of media dependence. The institutional connections and the behaviors they encourage in Polish politics bear striking resemblances to those of the Czech Republic, Slovakia, and Hungary. The state retained extensive control over Polish broadcasting, competing political actors argued over how the media should serve the "public interest," political parties sought favorable access to the media, and, like the Hungarian case, dual executives duelled over personnel management. As in the other countries examined in this study, Polish political actors have tried to use, deploy, exploit, manipulate, influence, and control the media in pursuit of their political objectives.

As in the other cases, one important source of this behavior derives from the opportunities to exploit the organizational resources available through institutional relationships, including dependence of the media on the state, the government, and political actors generally. Some of these resources are available from pre-existing institutional relationships--the Polish Press Agency (PAP) has existed to serve the information needs of the state for 75 years. Other resources of control emanate from the relationships of newly

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created institutions--the National Council for Radio and Television, the KRRiT, was created in 1993 specifically to transform public broadcasting into an independent organ dedicated to serving the public interest. (As I shall detail below, independence was rather limited by the expectations of certain political actors.)

In this chapter, I will review the media politics of Poland similar to the preceding reviews of Hungary, Slovakia, and the Czech Republic. I will discuss the inadequacy of legal reform of the media, then detail the political maneuverings, primarily over broadcasting, of competing political actors. Finally, I will review the media-related issues, particular to Poland, involving the relationship between the Catholic church and the state.

Media Law

As in the other countries under consideration in this study, events preceded legislation in the earliest days of the post-communist transition. Censorship, for instance, disintegrated before any Parliamentary act forbidding it. How to institutionalize the mechanisms to protect the media from influence, broadly considered, quickly became the new imperative. Though political actors seemed to believe that law could provide these guarantees, they found it difficult to agree on new media legislation, and as in the earlier cases, the passage of a media law (at least for broadcasting) was long delayed. As I argued earlier, the political actors have a stronger incentive to retain dependent media institutions (with the hope of someday controlling them) than to free them and risk total lack of control.

Press

The politics of press reform were contentious (though not so much as the politics of broadcasting). For one thing, overt censorship, in the form of suppressing open speech, is most obvious in the process of silencing print publications. As a matter of political course,

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then, openness and access to the print media had to be available to the "people." The elimination of censorship, a salient and politically necessary act, was undertaken immediately, but in the main the communist press law was disposed of "piecemeal fashion." Interestingly, the censorship provision, eliminated in 1990, stemmed from a 1938 law that the Communists (who took over in 1948) simply left on the books because it suited their needs.

Most of the subsequent legislation regarding the press focused as much on actors' protection *from the press* as on the protection of press freedoms. The state, for instance, was granted proprietary control over a vast array of information under the rubric of a 'state secrets' law. Broadly defining a state secret to include, among other things, material on economic development plans and results, and information the disclosure of which might be detrimental to the economic interests of Poland, the law prohibits revealing secrets even if an offense would be uncovered by doing so. Revealing these secrets could earn a journalist up to 10 years in prison.[1] Individuals were also considered for protection from the press. Some versions of early press laws mandated that personal information could only be published with the permission of the person to whom the information referred.[2] As I will detail later, a wide variety of political actors and governments imposed constraints

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1. "Daily Views New Law on State Secrets," *Foreign Broadcast Information Service Daily Reports* (hereafter, *FBIS*), September 20, 1994, 10. It is not at all difficult to see how this law might work to generate a chilling effect among journalists. Damage to the economic interests of Poland, for instance, is a highly interpretive criterion and one in which caution and official deference would likely prevail. I. F. Stone's famous revelations regarding Alcoa's fleecing of the US government during WWII might be read as damaging the economic interests of the country, as it could have undermined the raw material production system that generated inputs for war-related industries. Early coverage of Viet Nam, in which young reporters were trying to alert official Washington to the rather lackadaisical prosecution of the war, as well as later general anti-war reportage would both be construed as detrimental to the national (and thereby, economic) interest.

2. "Article Describes Press Law Draft," *FBIS*, June 23, 1993, 23.

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founded on these politicized rules. In short, rescinding the communist era proscriptions on the press did not preclude the imposition of potentially constraining new regulation by the post-communist governments.

Broadcasting

The reform of broadcasting law is important in Polish media politics (as in Hungary, as well) because the process of reform itself was the source of political conflict for several years. Not only did political actors disagree over interpretations of broadcasting regulations, but laws were changed, amended, or overturned regularly. The primary reason for this, as I have asserted, is that the actors make one rhetorical claim for public consumption ("public service media are essential to democracy") but behave according to self-interest (demanding special access, or interpreting laws in their own favor). More importantly, they catch themselves in a kind of trap, publicly committed to creating law that establishes state-owned public service media that are to somehow remain independent of the state, a dubious proposition made absurd by the actors' lack of actual commitment to it.

Two important patterns emerge in the consideration of broadcasting law. The first is an emphasis on what might be called "responsibilities" of those who produce broadcast material. The second involves the issue of personnel management, particularly of the board that oversees national broadcasting. I will elaborate on the former here, but discuss the latter at length later in this chapter.

In chapter four I briefly reviewed the Solidarity movement's drift toward a less inclusive attitude about the media. In short, Lech Walesa and the Gdansk group in Solidarity began (in the 1980s) to believe that it would be infeasible for all groups to be represented in the media. Further, since Solidarity was the foundation or essential group, the media should be deployed in the best interests of the organization (not yet a party). As

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Solidarity came to dominate, politically and philosophically, the immediate post-communist transition environment, these statements are obvious precursors to the subsequent policies of restraint issued by the new democratic government in the early 1990s.

The first post-communist broadcasting law, for instance, created untenable contradictions in the responsibilities of public broadcasting. Broadcasters were required to

- provide reliable information presenting the whole diversity of facts and events at home and abroad
- contribute to the free formation of opinions and development of public opinion
- facilitate participation by citizens and their organizations....[3]

At the same time, however, the law also made some logically incompatible demands for program content. Article 18, for instance, says that programs "shall not propagate actions, attitudes or views contrary to the law, morality and the public good."[4]

These contradictions were not clarified, in fact they were enhanced, by the 1992 Broadcasting Act. In this version, programs "shall not propagate activities incompatible with the Polish raison d'etat (however that is determined), or attitudes or convictions contrary to morality or the social good." Further, programming must also "respect the religious feelings of the audience, particularly the Christian system of values." Finally, the

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3. Broadcasting law of December 14, 1990, Chapter IV, Article 20. Cited in Anna Reading, "The People v the King--Polish broadcasting legislation," *Media Law & Practice*, 15 (Winter 1994), 8.

4. Ibid, 8. This happens to be the same wording as the 1960 Public Broadcasting Law, but this should not be deemed an insurmountable Leninist legacy as much as democrats invoking politically advantageous regulations.

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law even lays a plausible foundation for censorship, saying programs should "serve the strengthening of the family" and "serve the combatting of social pathologies."[5]

It was already clear from these early laws that broadcasting would remain a politically contentious issue, and subject to political or state interventions. The rights and responsibilities delineated in these laws leave broadcasting in a highly ambiguous position, though with a fairly specific expectation to uphold a particular set of values. Debate and conflict over the preservation of such values (whether specifically Christian, or the proxy of Polish nationalism) persisted for years, and the Church, intimately connected to notions of the Polish identity, remained a central figure in media politics. The only thing clear about this issue is that broadcasting was in no way granted anything remotely approaching independent legal status. As in the other countries, it was specifically retained as a state institution, subject to intensive political struggles for control by political actors.

Maneuvering for Political Control of the Media And Information

Poland, to a greater degree than even Slovakia, experienced frequent changes in government, so there is a particularly rich variety of actors from which to sample when considering the politics of the media and their reform. We can review a larger number of (though not strikingly different) attitudes about the media and their role, and see that efforts at media influence and control, especially the machinations surrounding the broadcasting boards, are more convoluted. In short, a wider variety of actors behaved in fairly similar ways throughout the first six or seven years of post-communist Polish politics. I begin with a brief description of the kinds of attitudes held by this variety of actors, as they underscore the actors' perception of the need to constrain and thereby control the media. I

5. Broadcasting Law, December 29, 1992; Article 18, paragraph 1, and paragraph 3; Article 21, paragraph 2. Cited in Ibid.

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then detail the ways that political actors gave life to their attitudes by exploiting the institutional dependencies of the media.

Attitudes

Attitudes about the media and their role are important because they reflect political actors' expectations about what the media should and should not do. I have already discussed, for instance, laws that say broadcasting *shall* respect Christian values or *shall not* violate the Polish raison d'etat. Attitudes or expectations about media performance are communicated through more than just law, though. We might read in a Lech Walesa exhortation for the media to support the reform program as the president's interpretation of what exactly the Polish raison d'etat is, or it might simply be Walesa trying to make sure the media do not stray too far from supporting him. In any case, it seems quite plausible that such urgings could be seen, coming from the Chief of State, as admonitions, and though some journalists might acquiesce while others resist, the very act of forcing them to choose is a kind of politicization in itself. We should be particularly attentive, then, to these kinds of expectations, and the ways that actors try to use the organizational resources available through the institutional relationships of the media to give force to their expectations (as I will discuss in subsequent parts of this chapter.)

The dominant attitude or expectation coming from political actors is one, loosely speaking, of support...for whatever that particular actor prefers at that moment. These preferences and expectations typically derive from the emphasis on fulfilling their own political programs, which are often rationalized as necessary for the preservation of the Polish identity and state. These attitudes and behaviors are most strikingly manifested by Lech Walesa, but other actors think and behave similarly.

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The first post-communist Prime Minister, Bielecki, for instance, criticized the newspaper *Gazeta Wyborcza* for, as he claimed, not liking Poles.[6] In an environment where political actors can be branded by the accusation that "s/he's not as Polish as" others are, such a claim was obviously intended as a way to marginalize the paper and its editor, Solidarity activist Adam Michnik.

Bielecki maintained attitudes that conveyed more upbeat expectations, too. In early 1991 he called on journalists to lobby on behalf of democracy and market reform.[7] This expectation was fairly common (throughout East Central Europe and) among Polish politicians. Walesa gave voice to similar attitudes, saying that journalists must help construct democracy, and that the mass media are key to the processes of change and reform.[8] In 1995, then Prime Minister Oleksy claimed that the government and the media have joint responsibility for the state and the changes.[9] The Defense Minister in the Oleksy government also wrote an article asserting that "responsibility is an attribute of the media–the 'fourth' *power*--as well."[10]

The primary problem with such expectations is their ambiguity. It remains unclear what "responsibility for the state" looks like in the course of daily journalistic operations. And while the media are, doubtless, key to the reform process, President Walesa undoubtedly meant that journalistic behavior should not undermine the work that Polish politicians like himself were doing on behalf of Poland. Finally, the Defense Minister

6. "Bielecki's Criticism of Paper Challenged," *FBIS*, February 6, 1991, 43.

7. "Bielecki Calls on Journalists to Support Reforms," *FBIS*, April 9, 1991, 29.

8. "Walesa Meets Press on Media, Reforms," *FBIS*, July 31, 1991, 25.

9. "Oleksy on Government TV Access, Media Issues," *FBIS* September 22, 1995, 47.

10. "Defense Minister on Media Coverage of Army," *FBIS* October 30, 1995, 64, emphasis added.

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reveals the core of the problem. The media are not the fourth "power" (presumably 'branch' of the government), rather they are a semi-formal but institutionalized check on the behavior of those in power. To assert that the media are a "power" with shared responsibility for the state is to specifically place them within the institutional framework of the state and subject them to political contestation with the other "powers" in the government. In short, it makes the media dependent on the outcomes of the political actors' struggles for political gain.

I do not merely divine this outcome from the ambiguous logic of the political actors' attitudes. On the contrary, they also openly expressed their expectations about media support. In other words, they provided the necessary detail to put the general order into specific practice on their own behalf. In the government of Prime Minister Olszewski, for instance, spokesman Marian Susulski said that Olszewski's government had gotten more criticism than any Polish government "of the last 1000 years." Their response to journalistic criticism-- "We will not talk very eagerly to journalistic gangsters."[11] In other words, they would cut off those journalists with whom the government finds disfavor. The Director of the Government Press Office (also under Olszewski) claimed that to the state the interests of the state matter most, and the media should take the state's interests into account.[12] As Prime Minister, Jozef Oleksy made similar claims about the "unfriendly" media atmosphere around his government.[13] Lech Walesa, the long-dominant figure in Polish politics, also elaborated his expectations a bit more clearly. Pointing out that journalists have both duties and responsibilities toward society, Walesa

11. "Spokesman Criticizes Treatment by Press," *FBIS* , January 28, 1992, 20.

12. "Sejm Media Commission Criticizes Government Policy," *FBIS* , April 7, 1992, 20.

13. "Oleksy Remarks on 'Unfriendly' Media Atmosphere," *FBIS* , March 16, 1995, 19.

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urged the media to assume the ethical values that take the needs and expectations of Polish society and the state into greater consideration.[14]

These attitudes about the media's role and expectations about journalistic performance seem to reflect a basic misunderstanding about the role of free media in a democracy. Notions of "fourth power," or media "responsibility for the state" would make most Western journalists uncomfortable (even though the great bulk of them support their country and "way of life"). But to emphasize this philosophical misunderstanding might miss a more important point. Political actors in post-communist Poland (like the rest of East Central Europe) have organizational resources available that allow them to (try to) make these expectations into reality. By figuring out how to use or manipulate the institutional relationships between the media and other actors and organizations, politicians can transform, with varying success, their attitudes into constraints on other actors' behaviors. One way that political actors can make their journalistic expectations come true involves selective responsiveness to journalists. Irena Popoff, in a statement upon her departure as the press spokesperson for the Office of State Protection, revealed that she (like Vladimir Meciar in Slovakia) distinguished between journalists she liked and those that bothered her, saying, "I want to thank the journalists with whom I have cooperated over the years. It has been real fun."[15]

Institutional Relationships and the Efforts at Political Control

Political actors' attitudes and expectations would be far less important if the institutional relationships of media dependence were not available for their use in politics. But such

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14. "Walesa, Journalists' Association Chairman on Ethics," *FBIS* , November 20, 1992, 16.

15. "Replacement of UOP Press Spokesperson," *FBIS* , September 1, 1994, 18.

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relationships were, in fact, available, and actors did try to use them to their advantage. I proceed now by describing how political parties maintained print media connections, and the state retained control of broadcasting.

Press

The most important aspect of politicization and control of the print media involves the persistence of direct connections between political actors and newspapers. Political parties maintain their own newspapers. The government has ownership rights in some publications, and pressures journalists, in general, with expectations of their commitment to "Poland" and the "reform" programs. In short, while there are more voices in the press, and they speak more openly now, some of the relationships of dependence persist, granting political actors the opportunities to influence the journalistic performance of the print media. Where these relationships are absent, or are somehow transcended, actors (governments, usually) seeking influence have not shied away from finding ways to alter the relationship of dependence so that their control might be enhanced.

In 1991, for instance, *Rzeczpospolita*, until then a "government organ," announced that it would take an independent line.[16] But, as demonstrated throughout this work, mere assertions of independence are not practical guarantees, especially when institutional connections remain. Within a year, Prime Minister Olszewski reminded everyone that *Rzeczpospolita* was owned by the government, and that the government would therefore "try to exert genuine influence on (the) paper."[17] Saying that it could not be tolerated that a newspaper partly owned by the government was protected from "moves by its major

16. "Daily No Longer 'Government Organ'," ***FBIS***, February 6, 1991, 42.

17. "Olszewski Interviewed on Media Independence," ***FBIS***, April 28, 1992, 17.

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shareholder," Olszewski promised that the Council of Ministers would seek legal measures allowing it greater influence at the paper.[18] This episode could be read as a success for the process of democratization and the independence of even a formerly government-owned paper. Olszewski did, after all, acknowledge that his government, would, in a sense, follow the rules. But this misses the more fundamental point. The prime minister sought a legal way to subvert the democratic functioning of an independent institution by reconnecting it to mechanisms of his own influence.

Lech Walesa liked to use the personal approach of direct lobbying to influence the press. In December 1992 he went to the editorial offices of *Trybuna* and criticized the paper for publishing a letter that was critical of him.[19] Aleksander Kwasniewski also prefers the direct approach. After winning the presidential election (over Walesa) in 1995 Kwasniewski sent a letter, again to *Trybuna*, though he praised the paper. He thanked *Trybuna* for its work during the election campaign, and noted that its support of him had not caused the paper to lose sight of its objectivity.[20] Again, as we saw in previous cases, perceptions of "objectivity" are undoubtedly a function of whether the outlet in question supports or opposes the political actor making the assessment.

The competing political actors did construct at least one new institution of the press. In mid-1994 the government created a Press Council to watch "within reasonable limits" over the values and opinions promoted in the press. A spokesman for one of the governing

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18. "Olszewski Terms Press Criticism 'Pathological'," *FBIS* , March 19, 1992, 13.

19. "Walesa Meets Journalists, Opposes Decommunization," *FBIS* , December 1, 1992, 27.

20. "President-Elect Criticized for Avoiding Media," *FBIS* , December 5, 1995, 43.

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coalition parties said he thought that the government might now have a way to get its views aired. Critics, as can be easily imagined, expressed fears of creeping censorship.[21]

A second function of the Press Council would be to ensure that foreign capital did not intrude too far into Polish press ownership. Expressions of concern over the influence of foreign capital seems to be, more than anything, a political cudgel for beating the populace and other (competing) political actors over questions of one's "Polishness," or legitimacy. While Lech Walesa, for instance, favored foreign investment in the press, some conservative parties expressed fear that excess foreign capital in the press would be hazardous to the Polish raison d'etat.[22] Again, this ambiguous and slippery charge is debatable and interpretable, and is intended as an emotional appeal to Polish voters.

Finally, besides governmental and individual political actors, political parties also tried to exert their influence on particular newspapers. Several of the prominent political parties either owned or had the loyalty of important large newspapers.[23] This party participation in the press persisted, too, well into (at least) 1996. *Rzeczpospolita*, having worked so diligently to gain some measure of independence from the government several years earlier, got a new editor, supposedly close to newly elected President Kwasniewski and his party, within a few months of the presidential elections in late 1995. At the same time, the ruling coalition was also tied to the purchaser of *Zycie Warszawy*, a circumstance which compelled 29 journalists to resign in protest saying it was a governmental attack on the media.[24]

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21. "Politicians, Journalists on Press Council," *FBIS* , June 10, 1994, 21.

22. "Walesa Favors Foreign Investment in Press," *FBIS* , March 22, 1995, 32.

23. "Party Political Sympathies of Press Reviewed," *FBIS* , March 2, 1992, 23.

24. "Poland: Controversial Media Developments Reported," *FBIS* , July 19, 1996, 37.

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In sum, there undoubtedly has been greater openness and freedom of expression in the press. This has not come, however, without efforts by political actors (the government, dominant individual actors, political parties) to assert influence and control over print media output and performance. Furthermore, an institution newly created by the actors in the post-communist system generated new mechanisms of potential connection (and thereby influence) between the government and the press. While the press is freer, old and new mechanisms of dependence are still available to political actors.

Broadcasting

The situation in broadcasting cannot even be given nearly as positive an assessment (even with all the qualifications) as the print press. As in Hungary, personnel crises, over appointment and dismissal authority, developed in Polish broadcasting, and brought the President, Lech Walesa, a variety of governments, political parties, and other institutional actors into political conflict. Over the course of only 4 years there were at least 3 significant rows over the national broadcasting council. In the first episode, a prime minister and a president fought because the prime minister dismissed the TV chairman without the president's knowledge. In the second round, the same president summarily dismissed the head of broadcasting, even though he lacked any legal or constitutional authority to do so, raising the ire of another prime minister (not to mention the supposedly independent broadcasting council). The final installment involved yet another government and its efforts to remove the chair of TV. As in all the other cases detailed in this study, the longer story is much more complicated by "politics" and the efforts to influence the broadcast media. I elaborate that story here in order to demonstrate that Poland and Polish media politics have been subject to the same kinds of forces as the cases already discussed.

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Assessing the features of control over broadcasting involves untangling a complicated web of shifting institutional arrangements. In 1991, for instance, the National Committee for Radio and Television was created. Though it was to be appointed jointly by the Sejm (the Parliament), the Senate, and the President, it would be an "independent" institution.[25] Subsequent legislation replaced this with the National Radio and Television Council, "a state organ of public and social service, independent of other organs of power," and "guaranteed to be able to act independently," also appointed by the Sejm, Senate, and President.[26] These councils also co-existed with a variety of other councils associated with the president.

On both broadcasting boards, independence, though "guaranteed," was consistently assailed by political actors competing for influence over the performance and content of the broadcast media. Though he was speaking of a particular government, Karol Jakubowicz's observation that the first post-communist government "was determined to maintain control over...broadcasting (in order to) use it as an instrument for promoting its own policies"[27] is generally applicable to Polish media politics through the first half of the 1990s.

Control over the broadcasting board would be the natural place to begin exerting political influence over the whole electronic media system. The council (at least in its second creation) had tremendous influence over broadcasting, after all. It would be responsible for awarding the licenses that would eventually be granted to private broadcasters. (The awarding of the first of these was the proximate source of one of the

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25. "Radio, Television Draft Bill Adopted," *FBIS* , August 6, 1991, 21.

26. "Mass Media's Responsibility Stressed," *FBIS* , April 29, 1993, 22.

27. Cited in Anna Reading, "The People v the king," 11.

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crises I will discuss below.) The council would also be involved in determining how parties would be covered and granted media access, especially during elections.[28] Most importantly, the council had practical enforcement authority over the "Christian values" requirement. The council, for instance, had the authority to stop the transmission of programs that violate public morality, harm the interests of the state, promote social pathologies, or are somehow injurious to the Catholic church. The council chair, appointed by the president, was specifically responsible for executing these procedures of restraint.[29] Because of the (1993) Council's broad authorities, influence and control over the individuals who sit on the council would be vitally important to political actors seeking to influence the information available to the population. I will review here three such specific efforts to influence the Council's work by controlling the personnel.

In mid-1992 the first of three conflicts over, in this case, the dismissal of the chairs of each broadcast media broke out. The prime minister, Olszewski, dismissed the chair of radio, Janusz Zaorski, because he was unwilling to follow the PM's recommendations. The new government was not happy with Zaorski, a holdover from the previous government, and so exercised its "statutory authority" over personnel policy to release him. The apparent source of the government's displeasure was Zaorski's dismissal of TV chair Robert Terentliew. One day after the prime minister dismissed Zaorski, the acting radio chair reinstated Terentliew. President Walesa, apparently, was unhappy with Terentliew's dismissal, but used the whole episode to criticize the Olszewski government. Citing this as another example of important decisions being made without the president, Walesa's spokesman said this action reveals that "the government has burnt itself out." To make this

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28. "TV Council Decides on Party Access to Programs," *FBIS* , May 13, 1994, 18.

29. Anna Reading, "The People v the king," 11.

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whole opera more comic, the deputy head of the central radio and TV council resigned to protest Terentliew's reinstatement.[30]

To overcome all this politicking over the broadcasting council, a new council was created in early 1993, supposedly built on structural changes that would establish independence. But President Walesa's extensive speechifying upon the inauguration of the council reflects the essentially muddled status of even this new council. Noting that this council had been "created by democracy," Walesa pointed out that the council was "guaranteed to be able to act independently and be autonomous in decision making." The source of this guarantee, however, was the "highest law" that made the council "a state organ independent of other organs of power." As in a variety of cases detailed earlier, the logic of a state organ independent of other organs remained unclear, at best. This is particularly true given that the law establishing the council is fairly explicit about the connection between the council and the government. The law specifically says that the council "is herewith established as a government agency in charge of radio and television affairs." Moreover, the first purpose of the council, as listed in the broadcasting law, is to plan, "in consultation with the chairman of the Council of Ministers (i.e., the government) the directions of government policy on radio and television."[31]

Walesa, for his part, also clarified the confusion over the tension between independence and connection to official actors when he asserted, in the same speech, that "we are

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30. See "Walesa Disapproves of TV Chief's Dismissal," *FBIS* , May 20, 1992, 12; "Walesa 'Knew Nothing' of Radio Chairman's Dismissal," *FBIS* , May 20, 1992, 12; "TV Director Reinstated by Acting Radio Chairman," *FBIS* , May 21, 1992, 24; "Deputy Head of Radio, TV Committee Resigns," *FBIS* , May 27, 1992, 29. It remains unclear why the chair of one medium would be dismissing or reinstating the chair of the other medium.

31. See the Polish Law on Radio and Television Broadcasting, Articles 5 and 6, January 29, 1993. Legal acts, constitutions, etc. can be found on the Lexis/Nexis database entitled "Central & Eastern European Legal Texts."

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returning to the fundamental rules that govern our national being," and "freedom of speech is a public good....We are learning how to take advantage of it in a conscious way and in (the) name of the common good." These obvious bases for politicization of the broadcast media were somewhat evasively acknowledged by Walesa's appointee, Marek Markiewicz, to head the new council. Asked if he thought the council would be politicized, Markiewicz demurred, but allowed that political groups will try to "make an impact" on the council's work.[32]

Markiewicz would soon enough understand how much an impact political actors would have on the council. In December 1993 Walesa signalled his dissatisfaction with the new council, and especially Markiewicz, by publicly announcing that he was "withdrawing" his support, citing the inadequacy of the council's efforts to establish private broadcasting. Walesa apparently expected the council to resign,[33] and when they did not he invoked Article 7, clause 2 of the broadcasting law, which says, "The (council) chair is appointed by the president from among the members of the council,"[34] to dismiss Markiewicz from the chairmanship. Conspicuously absent from the legal clause is any mention of the president's authority to dismiss the chair. Lech Falandysz, a legal advisor to the President, argued, however, that such specifics are sometimes explicit, sometimes not, and in a strategy that Falandysz calls "balancing on the verge of legality,"[35] Walesa assumed this

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32. See "Walesa Appoints New Broadcasting Council Chief," *FBIS* , March 3, 1993, 31; "Radio, TV Council Chairman Interviewed," *FBIS* , March 10, 1993, 33; "Mass Media's Responsibility Stressed," *FBIS,* April 29, 1993, 22.

33. See "Walesa to Withdraw Support for TV Council Members," *FBIS* , December 98, 1993, 16; "Walesa Seeks Broadcasting Council Head Resignation," *FBIS* , December 10, 1993, 28.

34. "Walesa Dismisses National Broadcasting Chief," *FBIS* , March 2, 1994, 18.

35. Country Update, *East European Constitutional Review* 4 (Spring 1995), 40.

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authority and waited for the Constitutional Tribunal to sort it all out later. (The Tribunal subsequently deemed the dismissal unlawful, but the because of the circuity of the ruling, Walesa's action could not be challenged in the administrative court.[36])

The proximate source of Walesa's decision appears to be Markiewicz's announcement of an organization named POLSAT as the winner of the first private broadcasting license. The same day that Markiewicz announced the selection of POLSAT, Walesa dismissed him, citing his inattention to important information that demonstrated, according to Walesa, POLSAT's threat to national security.[37] Either way one reads this reasoning, it amounts to a politically motivated intervention to influence the performance of the broadcasting council. Walesa was clearly displeased with Markiewicz and the Council, generally, as six months later he proposed dismissing the Council altogether.

The Markiewicz episode was the most serious case of political maneuvering and influence on the broadcasting council, but a third incident involving a new set of political actors revealed the persistence of actors' interests in controlling the council. In April 1995 the ruling Democratic Left Alliance (SLD) began wondering how to influence national TV. Saying, "we (the party) have serious reservations of a political nature inasmuch as the TVP (Polish Television) is unrepresentative," the SLD considered dismissing the chair for gross financial mismanagement.[38] Wieslaw Walendziak was finally dismissed for his supposed "biases," and replaced with a new TV director who encouraged journalists to be more

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36. Ibid. Also see "Dismissal of Markiewicz Deemed Unlawful," *FBIS* , May 11, 1994, 16.

37. "Walesa Dismisses National Broadcasting Chief," *FBIS* , March 2, 1994, 18.

38. "SLD Seeks Counsel on how to Oust TV Head," *FBIS* , April 21, 1995, 12.

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political and who also cancelled current affairs programs that were critical of the government.[39]

In sum, political actors have persistently used their official positions to exert influence over the work of the broadcast media. This has been particularly true of the electronic media because of the clear maintenance of the institutional relationships (including those newly created under the democratic system) that connect the media to the government and the state. I turn now to the Polish Press Agency to examine the ways its institutional relationships affect its status and performance.

PAP

The Polish Press Agency (PAP) was also the object of fairly intense political contention. As in the other countries reviewed here, PAP remained the central information agency of the state; controlled by the state, financed by the state, and responsible to deliver the government/state's information. The core of the political (and logical) problem, as with broadcasting, lay in the status of PAP as an independent organ of state power. I have contended elsewhere, as I do here, that being an organ of the state is incompatible with independence, at least as notions of independence of the media are concerned.

This is not to say, though, that all political actors gladly or even willingly submitted to the state's information agenda as expressed through PAP. In fact, in 1991, Marian Terlecki, the Director of TV, ordered that PAP information could only be used in TV news if it were verified by another reliable source.[40] This prompted the Parliamentary

39. *IPI-Report,* World Press Freedom Review section, 46 (December-January, 1996), 76. The position of Director General (the formal title) of Polish TV was, at one point, nicknamed 'the catapult,' "for as fast as the broadcasting council appointed someone, they were catapulted out for displeasing the President or members of the government." See Anna Reading, "The People v the King," 11.

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Committee on Culture and Mass Media (i.e., the government-state whose interests PAP serves) to demand that the order be rescinded as it undermined the credibility of the state agency. This episode highlights the essential nature of the conflict over PAP. Government and state (or more appropriately, government/state[41]) actors want PAP to have some sort of official credibility as an "independent" organization, even though it was an official state agency.

The PAP director under Prime Minister Bielecki, I. Rutkiewicz, specifically claimed, without further explanation, that PAP was, in fact, independent, even though it was still a government agency.[42] He did not elaborate, for example, *from what* PAP was independent. These claims of independence did not subsequently prevent a new prime minister (Olszewski) from recalling Rutkiewicz and replacing him with Krzysztof Czabanski. Upon assuming his position, Czabanski also asserted that PAP would be changed from a government agency to a "normal state agency."[43] Again, such claims remain unclear, especially as it is difficult to see how an agency of the government, which formally sits atop the state, differs from a state agency. Furthermore, one of the normal prerogatives of the government is the ability to maintain a degree of influence over the

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40. "Sejm Demands Revocation of TV PAP Ruling," *FBIS* , February 1, 1991, 29.

41. Some of the practical political implications of the difference between the state and the government derive from the existence of dual executives. In Poland, as in the other countries examined here, there is the government of the Prime Minister, and there is a (usually) popularly-elected President. It is, however, inappropriate to equate one with the government and the other with the state. Rather, both compete for access to and influence over the various organizational resources that derive from "official" agencies' institutional relationships. Prime ministers, then, evoke expectations about PAP performance, but the president also throws his political weight into the picture, as Walesa did when making a personal visit to the PAP offices on the occasion of its 75th anniversary.

42. "Government Spokesman on Press Privatization," *FBIS* , March 13, 1991, 45.

43. "New PAP President Named, Future Plans Viewed," *FBIS* , February 4, 1992, 23.

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agencies of the state that it heads, so it remains unclear how Czabanski's plans create greater independence from the government.

In fact, state (government) influence would be specifically retained in Czabanski's plan to make PAP jointly owned by private concerns *and* the state treasury.[44] In any case, by late 1993 (almost two years later), another new PAP Director, under another new Prime Minister, was issuing the same call for PAP to cease being a government agency. The new Director, Jerzy Wysokinski, was also still trying find ways to eliminate the state subsidy, then at 20 per cent of the PAP budget.[45]

This persistent institutional relationship to the state did, in fact, preclude independence for the agency. As I mentioned above, new prime ministers took the prerogative of appointing new PAP directors of their own choosing. Moreover, the opportunity for direct political meddling was occasionally seized. In 1992 a member of Prime Minister Pawlak's government allegedly tried to get PAP Director Czabanski to pull a story. In an expression of his agency's independence, Czabanski ran the story. For his trouble, Pawlak gave him an upbraiding, saying that Czabanski could be an independent reporter on his own account, but not while serving as head of PAP.[46]

In sum, PAP remained an official agency, in existence since 1918, that was subject to the political maneuverings and demands of competing political actors. Most typically this involved direct personnel management by the prime minister, but also included efforts to influence the actual performance of the agency. The efforts to rationalize official influence

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44. "PAP President Says Agency will be Independent," *FBIS* , February 19, 1992, 10.

45. "PAP Director Airs Agency's Problems," *FBIS* , December 9, 1993, 16. The plan to eliminate the state subsidy, by the way, was to oblige all state administrative institutions "down to the provincial level" to subscribe to PAP service.

46. "Pawlak Considers Dismissing PAP President," *FBIS* , June 24, 1992, 17.

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with the rhetoric of independence did not succeed, and, as typical of other countries and institutional relationships, the fungibility of influence triumphed over the intangibility of rhetoric.

The Catholic Church and the Media

The story of Polish media politics to this point follows a path that closely parallels the cases of Slovakia, the Czech Republic, and Hungary. The maintenance of the institutional connections of media dependence allowed political actors to deploy the media on their own behalf. The Catholic church, however, is an important element of the Polish story that does not appear in the others. Its importance derives from two factors. First, the church is a central feature of Polish political life, and as such, has a significant influence on media politics and the media's performance of their duties.

Second, from a more conceptually analytic perspective, the role and status of the church, especially in the last years of the communist period, and its subsequent influence on media politics provide an unusual challenge to some of the assumptions regarding the political, social, and cultural effects of state socialism. In short, the church, rooted in anti-communism and granted an unheard of legitimacy *during* the communist period, won privileged media access, with which it espoused its anti-communist politics. This special access, in turn, became institutionalized and in the post-communist environment created constraint on freer and more independent media. Ironically, the communist legacy of anti-communist agitation has contributed to the persistence of media dependence in post-communist Poland.

Tomasz Goban-Klas[47] points out that in 1980 the church, which was already allowed to publish a few newspapers, was granted the opportunity to broadcast religious radio

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programs, a concession more preferable to the Communist Party than any further formal legitimation of the Solidarity trade union. In mid-1989 another deal between the now declining party-state and the church allowed the church to have its own television programs. By the beginning of the democratic transition, in other words, the Catholic church of Poland had legitimate institutionalized access to both print and electronic media. Subsequently, the church was given priority in new broadcasting frequency allocation under the 1991 Law on Telecommunication, the rationale being that the 1989 deal granted broadcasting rights to the church.

Since 1989 the church has also widened its approach to media influence. Though its influence on journalists not affiliated with the church is only indirect, the church's rhetoric has been quite strong. In 1991, for instance, the Polish Episcopate said that "disturbing (journalistic) content...ridicules the truths of the faith and moral norms." Further, the "faithful have rights, and the duty, to demand respect for their religious beliefs in all public communications." In the 1993 broadcasting law, discussed above and revisited below, they get that respect.

In language that sounds reminiscent of political actors' (usually from the government) complaints about the lack of media understanding and support for their own programs, the church also issued a pastoral letter that, in part, reaffirmed the position of the church as the guarantor of national identity. Saying the media were "losing elementary sensitivity to the basic and the most important problems of the nation and the state," the letter accuses journalists of misunderstanding the "historical transformations in Poland." Further, the church was disappointed that the media "do not undertake attempts to mobilize reliable and scrupulous work for the public good." As in so many other instances, definitions of

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47. Much of the material on the Catholic church comes from Goban-Klas' "Politics versus the Media in Poland: A game without rules," *The Journal of Communist Studies and Transition Politics* 12 (December 1996) 24-41.

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"public good" remain unelaborated, though the church did go on to explain how it would participate in ameliorating this general media malaise. An unpublished statement of doctrine for the national media asserts that "the church in Poland has to embrace, by its pastoral care, those in the media. They are in need of spiritual support in order to serve truth and human beings."[48]

The church's embrace took a very real form when the broadcasting law of 1993 introduced the "Christian values" rule.[49] Basically, the law says that program content must respect Christian values, and empowers the National Council of broadcasting to stop the transmission of any program that violates this rule. Initially, the church had extensive influence on this board, as five of the nine members of the original board were "known supporters of right-wing Christian values."[50] Even after the composition of the board changed, however, the church exerted other indirect sources of influence over broadcasting. The Episcopate made an official public endorsement of one of the ten applicants for the first broadcasting license, and that individual (it was just one individual) won the first TV license. The church's own radio network, Radio Maryja, was also granted a license for nationwide broadcasting.[51]

The Catholic church clearly has significant influence on media politics in Poland. The church also retains a privileged institutional capacity to generate its own media output, and to influence the political process of media reform. The church issues political rhetoric about the quality and character of media output. Some people, the so-called "liberal

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48. All quotations are cited in Goban-Klas, "Politics versus the Media in Poland," 35.

49. See Irena Grudzinska Gross, "Broadcasting Values," *East European Constitutional Review* 2 (Summer 1993) 51-53 for a discussion of the background of the rule.

50. Anna Reading, "The People v the King," 11.

51. Goban-Klas, "Politics versus the Media in Poland," 36.

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intelligentsia," see the church's influence on the mass media as so pervasive (and destructive) that they have taken up their old habit--formerly directed against the communist regime--of writing open letters demanding civil rights and freedom of expression. As Goban-Klas points out, the target has changed (to the church and the non-communist governments), but the language and arguments are very similar.

Conclusion

As in Hungary, Slovakia, and the Czech Republic, the media politics game in Poland is played by self-interested actors who, quite rationally, try to exploit available political resources in pursuit of their objectives. When these resources include the opportunity to use the institutional connections of media dependence to their advantage, they will do so.

As in the other countries, some institutional continuities (and their accompanying dependencies) have persisted since long before the communist period. The official information agency, for instance, has been available for use by state or government actors for 75 years. Also as in the other countries, the post-communist political actors created some new institutions that seemed as dependent, and therefore exploitable, as any before them.

The one feature of media politics specific to Poland--the central role of the church--has also been both a new and continuing mechanism of media influence and control. The role of the church in media politics, in fact, highlights the elusive and shifting nature of "media freedom." In its role as resistor of communism, the church decried the communist stranglehold on the media (which may have appeared as advocacy for general media openness to "fellow travelling" anti-communists). As a now dominant actor, however, the church has more utility for media constrained to perform the way the church prefers. The one consistent factor, in this and all the cases discussed in this work, is the instrumental

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view of the media. Whatever an actor's status in politics, s/he, or they will consistently view the media as a vital tool in their own political efforts, and will also define the media's role as a function of how it serves those efforts.

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CHAPTER VIII

CONCLUSION

> In democracies, relations between the press and politicians are always uneasy and suspicious. (Lord McGregor of Durris, Chairman, Press Complaints Commission, United Kingdom)

> The government continues to strive to create harmony between the freedom of the press and the principle of public service. (Peter Boross, Prime Minister of Hungary)

The story of news media reform in post-communist East Central Europe revolves around the efforts of political actors like Boross to generate harmony where discord is the natural order. Since 1989, most of the post-communist political actors have too often attempted to forge this harmony by lowering the standard of "freedom" in order to keep high expectations about "service," especially to the goals and values the actors themselves hold. The maintenance of institutional relationships of dependence have been the primary means by which political actors have downgraded freedom and elevated service. The opportunities for political exploitation that derive from these institutional connections are too enticing for political actors to pass up, and by seizing these opportunities actors develop a common vested political interest in continuing media dependence.

I conclude this work by recapitulating the case studies offered as evaluations of these claims. Then I will make some general reassessments of the dominant theoretical approaches--the transitions approach and Leninist legacies--that have only inadequately illuminated the situation described above. Finally, I will try to make some even more general assessments about political change, democracy, and its institutionalization.

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The Empirical Results

The most basic argument put forward here is that political actors, irrespective of ideology, will use available political opportunities and resources[1] to pursue their own political goals, and as such, that institutional relations of media dependence would persist because this serves the agendas and interests of the political actors charged with granting media independence. Tables 3 (a replication of Table 2) and 4 indicate that in many ways this claim has evident force. Across a widely varying array of different political systems certain institutional features (of media dependence) have persisted. Chapter four covers the ways in which actors in these divergent systems did, in fact, exploit the dependent media. Chapters five, six, and seven laid out the case that contemporary post-communist actors have done similarly.

Tables 3 and 4 reveal important continuities that span all the political systems of the last 100 to 150 years. The state has owned broadcast media since radio was first introduced. Political actors have long maintained close association with the press, sometimes moving between journalistic and official/governmental positions. The states have long maintained national information agencies that are charged with disseminating the official information of the government. Though the specific instruments have varied over time, political controls in the form of social expectations and responsibilities also span the 100-year period under consideration here. Each of these continuities reflects a mechanism by which political actors, in their time, could pursue their political goals (usually power), and each aspect of continuity further reinforces the general political expectation that the media exist to serve the

1. In chapter three I called them "organizational resources" to reflect the fact the opportunities derived from the actual organizational forms and relationships then functioning.

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Table 3. Historical Media Continuities: From the Nationalist Regimes to the Communist System

	Pre-Nazi *CzSl*	**National** *Hungary*	**Regimes** *Poland*	**Nazi System**	**Soviet System**
Press Affiliations	State & Gov't.	Political Actors; State	Commit- ment to National Identity	Nazi Party	Communist Party; National Front Organizations
Broadcstng Ownership	State	??	??	State	State
Official Information Agencies	Yes	Yes	Yes	Yes	Yes
Personnel Controls	??	??	??	Party Control	Nomenklatura
Political Controls	Social	Expectation of	Nationalism	Party- produced; censorship	Party- produced; censorship
Diversity of Press Outlets	Fairly Extensive	Fairly Extensive	Extensive	Narrow	Narrow
Role of Propaganda	Fairly Strong	Fairly Strong	Fairly Strong	Strong	Strong

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Table 4. Historical Media Continuities: The Post-Communist Systems

	Post- *Czech Rep.*	**Communist** *Slovakia*	*Hungary*	**Systems** *Poland*
Press Affiliations	Mostly Parties Some Gov't or State; Some Indep.	Parties; Gov't Pressure; Few Indep.	Parties; Gov't or State; Some Indep.	Parties; Church; Some Indep.
Broadcstng Ownership	State; Some Privatzation	State; Minimal Privatization	State; Slow Privatization	State; Slow Privatization
Official Information Agencies	Yes	Yes	Yes	Yes
Personnel Controls	Appointment/Di smissal in State Media	Appointment/Di smissal in State Media	Appointment/Di smissal in State Media	Appointment/Di smissal in State Media
Political Controls	Responsibility to Society, to Support Rfrm	Responsibility to "Slovakia"	Responsibility to Society, to Support Rfrm	Responsibility to Nation and Christn Values
Diversity of Press Outlets	Increasing	Increasing	Increasing	Increasing
Role of Propaganda	Minimal	Fairly Strong	Moderate	Fairly Strong

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needs of power. In short, over 100 years and four (for each country) political systems, institutional relationships of media dependence have granted to political actors the opportunities to use the media to their advantage, and they have seized those opportunities.

I should make it clear that the media do now have an increased political space in which to maneuver, though they do not have formalized institutional independence from the state, political parties, and other official actors. In fact, the cases of Hungary, Poland, the Czech Republic, and Slovakia reveal that the efforts to control, constrain, and influence the media are quite intense, and the institutional mechanisms available for doing so can be fairly effective. In broadcasting, for instance, all four states retained a monopoly for at least several years. When private broadcasting was finally established, in many cases, the state influenced the selection of the licensee. In the print media only some newspapers were specifically controlled or influenced by the government or state, but many others retained strong connections to political parties. This kind of connection may allow for greater diversity of expression, but if the party controlling the paper ever wins power, that paper will find it difficult to sustain any critical discussion of the government or the party. In this way, papers affiliated with governing parties become *de facto* government papers.

In sum, there are numerous institutional continuities (legacies, if you will) that go back further than the communist period. Most of these legacies involve some form of media dependence on political actors, or some element of institutional connectedness to other political organizations or interests. Some of these legacies (political party connections to newspapers) were submerged under the requirements of the Soviet media system, and are now resurfacing, others persisted right through the communist period. The one tradition that neither persisted, nor is resurfacing, since it never existed in this region, is that of independent and free media. Rather, the institution of free and independent media would

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have to be built, constituted anew. The prospects of such processes of building anew are hotly debated in the competing theoretical approaches to democratization.

Legacies and Transitions

I have framed this work in terms of the dominant debate about democratic transitions and the likelihood of their success. On the one hand, the Leninist legacy school, which focused primarily on former Soviet bloc regimes, contends that 40 years of existing with the uniquely anti-democratic political, social, economic, and cultural features of Leninism will make democratization an exceedingly dubious proposition. On the other side, the transitions approach claims that democracies can be "crafted" through the construction of new democratic institutions that have the power to bind actors to their outcomes. In this work I have essentially argued against both, claiming that political actors of all ideological persuasions prefer and will seek to maintain and/or construct institutions (including media) that will help them in pursuit of their political objectives.

Leninist Legacy

In laying out the claim that the ideology-neutral organizational legacies of media dependence determine the persistence of "anti-democratic" media exploitation I offer a conceptual critique of the Leninist legacy school's emphasis on the politically stifling features particular to Leninism. By showing that some features of the institutional relationships of media dependence go back to Nazi and pre-Nazi nationalist regimes, I have tried to demonstrate empirically that political actors generally, not just Soviet communists, prefer to construct media institutions that can be deployed to serve their own interests.

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Kenneth Jowitt defines an institution as "a partisan pattern of authoritative behavior."[2] What the Leninist legacy scholars contend, then, is that the partisan patterns established by 40 years of communist rule are entrenched, and therefore the authoritative behavior (i.e., the institutional performance) that follows from that pattern will persist. But if the particular pattern of partisanship could be changed, then the institutional performance would likely incline toward the preferences of the partisan actors now controlling the institution. The case studies described in this work illustrate the point that persistent organizational structures have been available for imprinting with new and various partisan patterns. Personnel management in state-run broadcasting, for instance, was the prerogative of the governing party, even when governments changed. In other words, the organizational forms persisted while subsequent parties were allowed to imprint the organization with their own partisan preferences. The social, political, and economic patterns particular to Leninism, it turns out, did not adhere to the existing institutional structures.

Transitions

In contending that the reformers (or the democrats, if you like) would prefer to create institutions that they perceive might help their interests in the subsequent democratic game, I have also argued against the transitions approach assumptions about the salience of actors' preferences for uncertainty in democracy (over certain losses in authoritarianism.) By showing that the transition actors actually created some media institutions with control and influence in mind, I have questioned the efficacy of "crafting" democracy by the building of new institutions.

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2. Kenneth Jowitt, "Weber, Trotsky, and Holmes on the Study of Leninist Regimes," *Journal of International Affairs* 45 (Summer 1991), 42.

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In many ways, the very logic offered by the transitions scholars has embedded within it the source of my criticism regarding actors' interests and how they pursue them.[3] Mainwaring, O'Donnell, and Valenzuela write, for instance, that in the transition environment democratic continuity (i.e., survivability) is uncertain. But they set the "elected government" apart from the other political actors, as if the government is somehow more committed to democracy than are those actors confronting it. The government, according to the authors, is "faced with actors who are unwilling to submit fully to democratic rules of the game and who can use their access to state or other resources to issue credible threats of destabilization...."[4] But the analysis of media politics in Poland, Hungary, Slovakia, and the Czech Republic indicates that the government, having won the elections, asserts the

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3. A short digression is in order here. Most of the transitions scholars also participate in the study of what they call "democratic consolidation." There is a vast range of definitions of what constitutes a consolidated democracy, all of which are only partially compatible with the others. Suffice to say, the only widely accepted definition of "consolidated democracy" is "an effective functioning democratic regime." In any case, O'Donnell calls the consolidation the "second transition," and Mainwaring, O'Donnell and Valenzuela claim that there is no specific event or formula which indicates completion of consolidation. See *Issues in Democratic Consolidation: The new South American democracies in comparative perspective*, Scott Mainwaring, Guillermo O'Donnell, and J. Samuel Valenzuela (eds.), (Notre Dame, IN: University of Notre Dame Press, for the Helen Kellogg Institute for International Studies, 1993). In other words, we can describe consolidated democracies and explain how a regime is or is not consolidated, but we lack rigorous theoretical grounding to go beyond that. Questions of consolidation were not addressed in this work, because, as even the consolidation scholars admit, establishing the institutional procedures of democracy, including the protection of press freedom, are a function of the first transition, or the transition to democracy. Moreover, as the author of one review article put it, "democratic consolidation cannot be achieved without abandoning the formal and informal institutions, procedures, and arrangements that constrain the performance of a newly democratic regime." See Doh Chull Shin, "On the Third Wave of Democratization: A synthesis and evaluation of recent theory and research," *World Politics* 47 (October 1994), 145. The very thrust of this study is to demonstrate that formal and informal institutions and arrangements, in fact, persist. I borrow here from the so-called consolidation discussion, as the theoretical logic and empirical analysis of the transitions and consolidation work are rather like two sides of the same coin.

4. Mainwaring, et al, *Issues in Democratic Consolidation*, 3.

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prerogative of marginalizing the opposition by, among other things, making rules that allow themselves increased control over the media. The actors in government, in other words, are no less likely to use their even greater access to state resources to destabilize democratic opposition.

Guillermo O'Donnell indulges in similarly facile logic, and adds political instructions for the democratic actors. While he notes that "democratic actors are pluralistic" and that they "compete among themselves, both in the electoral arena as well as in the area of the diverse interests which they represent or invoke," he encourages them to close ranks around democracy's opponents. He reminds the democratic actors that their "real quarrel is with the camp of authoritarian actors, because of the risks which (they) represent and because of their capacity to eventually wrest the *neutral actors* to support an authoritarian regression."[5] It appears that O'Donnell assumes the non-neutral democratic actors prefer democracy for democracy's sake, and have forsaken their particular political interests. The analysis of actors' behavior toward the media indicate, however, that the participants in the processes of politics are not neutral, but rather strategically pursue their interests, and are equally faced with other actors doing the same.

O'Donnell has an apparent way out of these messy political realities, though. In the process of securing the transition (consolidating the regime, in O'Donnell's language), "democratic actors should agree to subordinate their strategies (including competition among themselves) to the imperative of not facilitating return to authoritarianism."[6] Again, this prescriptive rests on the assumption that there exists a group of actors, uniquely democratic in character, nature, or forbearance, that will, by its steadfastness, deliver the fledgling

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5. O'Donnell, *Issues in Democratic Consolidation,* 22, emphasis added.

6. Ibid, 22.

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democratic system to some ill-defined Eden. The reality, by contrast, must appear more like Gethsemane, where political actors prefer their own dominance to the uncertainty of democracy, which they in turn prefer to someone else's authoritarianism.[7]

In sum, it remains unclear that we can identify (as O'Donnell, Mainwaring, etc. implicitly do) "democratic actors" as somehow different, either motivationally or behaviorally, from non-democratic actors. In fact, depending on the political positions they hold, actors' commitment to democratic rules and behavior can prove quite variable. As Eliza Olzyck puts it, "The opposition which invites mass media to all its meetings, organizes press conferences,and shares information whenever journalists want it, stresses in this way that it has nothing to hide from the people. This attitude changes radically the moment the opposition becomes a governing party."[8] As the case studies indicate more generally, this conundrum repeated itself many times throughout post-communist East Central Europe.

The conceptual claims and empirical findings in this study imply a need for reassessment of other non-Leninist transitions. The conceptualization (which I have called, "organizational resources") of political opportunities available from existing institutional rules, relationships, and roles would apply equally to Southeast Europe, Latin America, or Asia. The specific relationships, and the rules on which they are founded, would obviously vary across regions and even countries, but the general claim advanced here can be assessed in these other cases. Specifically, in a transition environment, where significant institutional elements persist, post-authoritarian elites (democrats) will exploit the available institutional opportunities in pursuit of their own political success. We should expect, for instance, that

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7. In other words, political actors have a preference order that looks like the following: Actor's own dominance > Uncertain democratic outcome > Others' authoritarianism.

8. Eliza Olczyk, "Politicians Like to Be Silent, Escape From the Media," from *Rzeczpospolita*, reprinted in *Foreign Broadcast Information Service Daily Report*, May 10, 1994, 20.

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the dissident opposition currently voicing demands for reform in Indonesia will pursue electoral success within the confines of a largely authoritarian system, and will not radically alter the institutional rules by which it gains and subsequently consolidates power. A significant reconstruction of formerly dependent institutions would, on the other hand, refute the arguments made here.

The Implications for General Political Change

Let us assume, though, that there are such things as "democratic actors," and their futures would be better if they could put aside their own political differences to resist the authoritarians. The "democrats" still face a daunting collective action problem. Each competing political actor has the incentive to let the others put aside their differences while s/he opts out of the cooperative effort to confront the authoritarians. In a most practical sense, for instance, the democrats would find it difficult to select an individual candidate to stand for elections because nobody would be willing to grant the advantage of incumbency to what will surely be a future political opponent.

While the democrats do exhibit some cooperation at the most basic level, this tends to be short-lived. In all the countries of East Central Europe, for instance, the umbrella groups that organized to challenge the Communist party in the last days of its authority quickly disintegrated into multiple (in some cases, more than 30) parties. Many of these now-competing parties were irresolvably opposed to their former partners. These opposing actors are the very same ones that subsequently struggled so intensively over the media.

All the pre-transition actors, and all the oppositions, called for more openness from the government, greater media access for more of the population, etc. But as soon as oppositions gained power, they opted out of the commitment to their own rhetoric. A

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similar explanation accounts for the willingness of political actors to play on nationality, patriotism, and short-run economic anxiety.

The task of the reformer is to convince his/her populations of the long-run value in democratizing society and its institutions, and marketizing the economy. The task of the politician, however, is to win the next election. (There is no other way to pursue one's reform project.) Extra difficulty is added to the long-run reform project because some politicians are willing to capitalize on this urge to opt out, to maintain individual benefits (their own) at the expense of the wider community, by raising nationality and religion as political issues and dividing the population for the sake of securing a larger share of society's scarce resources. Once one politician opts out of the reform project, or long-term economic investment, etc., all politicians are motivated to opt out, lest they be disadvantaged.

To overcome this paralyzing divisiveness, Zygmunt Bauman argues in favor of a politically active state. He points out that in the process of reform the new democratic states in East Central Europe will alienate substantial portions of their populations as part of the consequence of the transition to market democracy. To overcome these short-run problems, Bauman asserts, the state must take an active role in supervising the political work of building the new system.[9] This seems to imply the maintenance of the kinds of institutional relationships that grant state and government actors advantageous access to organizational resources. This could be further read as justifying continued state influence and control of the news media.

At the same time, however, Bauman also asserts that to achieve significant institutional change the new political systems of post-communist East Central Europe "must *dismantle*

9. Zygmunt Bauman, "A Revolution in the Theory of Revolutions?", *International Political Science Review,* 15 (Winter 1994), 16.

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the extant system and *construct* one to replace it."[10] To ultimately eliminate the state actors' built-in advantage, Bauman seems to say that the activist state must eventually legislate away its own autonomous political capacities. To put it another way, the reformers need to make their new democratic states smaller, less centralized, and more responsive to the citizenry. The reformers must try to rebuild, by *intentional* design, a new set of state institutions out of a previous, much larger, and wholly undesirable set. In other words, the new democratic actors must make a policy choice to construct news media institutions that are specifically neutral to the actors' own preferences and goals. But before such construction can even occur, there must be a dismantling of the old institutions and rules. In a political sense this means the politicians must cancel institutional rules that favor themselves, and issue new rules counter, in practical terms, to their own interests. The case studies of media politics seem to indicate that this is unlikely. Dependent institutions are available to active and (socially) autonomous states as instruments that political actors can use to their advantage, so they do. The dismantling that Bauman asserts is necessary seems, therefore, unlikely. In short, when the opportunity to exploit institutional dependence arises, political actors will be there to seize and hold it. Democratization, as a result, proceeds in somewhat unpredictable fits and starts, often the unintended outcome of strategic actions driven by other political goals.

10. Ibid, 17, emphasis in original.

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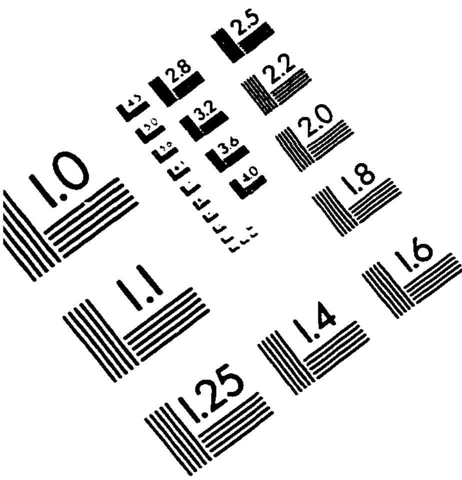
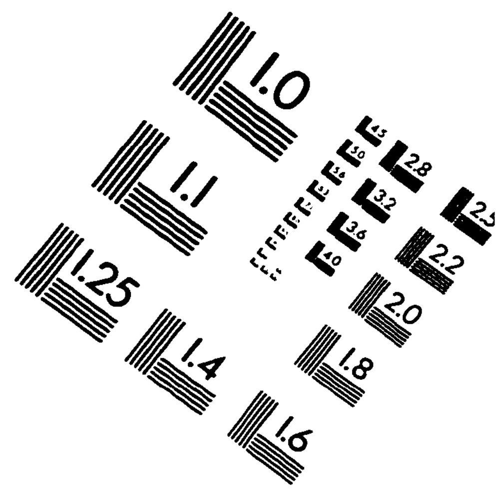
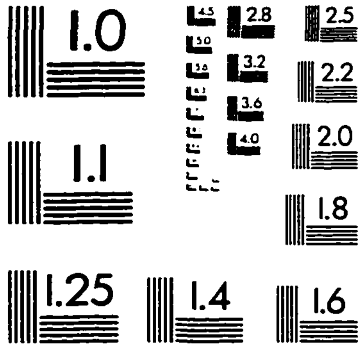
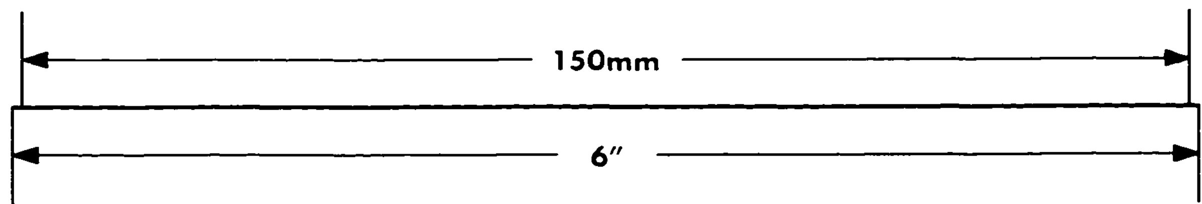

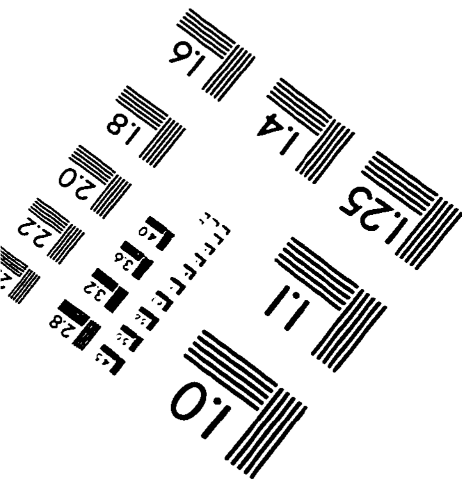
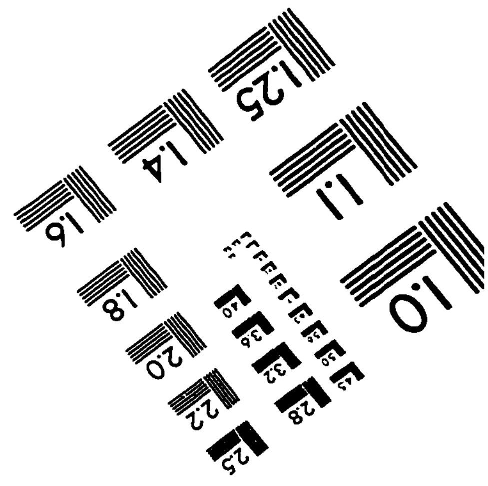

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