CZECH REPUBLIC: BROADCASTING AFTER 1989: OVERHAULING THE SYSTEM AND ITS STRUCTURES

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On 4th of February 1994, a new era in the Czech Republic's broadcasting was launched when the first national commercial television station, NOVA-TV, began its daily programming. The start of broadcasting by NOVA was the culmination of various stages in the country's transformation that have drastically changed mass communication, initially in former Czechoslovakia and, subsequently, in the Czech Republic.[1] The dramatic changes, still ongoing, began with the so-called Velvet Revolution in November 1989, when the administrative mechanism controlling the media, established during the "normalisation" phase following the Soviet-led Warsaw Pact invasion of Czechoslovakia in August 1968, disintegrated along with Communist Party rule. The imposition of Gustav Husák in the place of Alexander Dubček meant, among other things, the reintroduction of the censorship abolished in the Prague Spring of March 1968.

Background: The Transition Phase

Among the myriad and immediate manifestation of communism's demise in Czechoslovakia were — as in other Central East European countries — dramatic changes in the structure and performance of the nation's mass media. Initially, the spirit of freedom, reflecting the euphoria pervading the nation after November 1989, was more noticeable in the print media. Major changes in their structure and content were more quickly and readily instituted than within the state-owned radio and television broadcasting system.

However, the collapse of the rigid control exercised by the Communist Party apparatus till November 1989 also had an immediate effect on the broadcasts of the Czechoslovak Radio and Czechoslovak Television. Especially the state television, after several days of hesitation during the week of mass demonstrations in Prague streets which led to the collective resignation of the Communist Party's Central Committee on November 24, dramatically changed its program policy. After that date, there was a new style of programming, for example including live

transmissions of anti-government demonstrations, public appearances by both Václav Havel and the late Alexander Dubček, and a complete Roman Catholic Mass, broadcast in the weekend of 25 and 26 November. No doubt this live coverage of events in Prague had an important impact on the success of the general strike in the countryside on November 27. This was the action that brought about the final collapse of Communist power in Czechoslovakia. Due to Havel's dissident past and Dubček's non-person status since 1970, their appearance on state television represented a watershed in broadcasting, and provided evidence of liberation of Czechoslovak Television from the former tight party control. The change in programming of Czechoslovak television also resulted from the rising pressure applied by television employees on the top management of the organisation. Some television employees succeeded in transmitting five minutes of one of the great Wenceslaus Square rallies on Wednesday, November 22. At that time, party die-hards on the staff attempted to block the transmission by airing a rock video (Johnson 1993, 6).

Although major changes were being initiated almost daily within the media after that date, it was not until March 28, 1990 that some of the new practices were formally legalised. The Federal Assembly revised the 1966 press law by formally abolishing censorship and allowing individuals, including foreign citizens, to own and publish periodical publications (Collection of Laws, No. 86, 1990, 375). The latter amendment opened the way for private ownership and foreign participation in publishing ventures. The amendment has also changed the former requirement for licensing any publishing activity to a simple procedure of mere registration. According to the Press Law's current provisions, a publisher must conform to the legal system as a such; no other duties exceeding these limits are prescribed. However, the amended Press Law did not change the position of broadcast media, where the state monopoly still had not been abolished.

After the June 1990 election, the new government explained its media policy in a declaration presented to the Parliament on July 3, 1990. The declaration confirmed the determination of the government to promote the freedom and independence of the press, hinted at introducing pluralism in the electronic media field, and promised to submit the new media legislation.

Drafting media laws in the post-Communist era represented a new experience and challenge for the East-Central European states. For Czech policy makers, the broadcasting law is a case in point. Never in its history had Czechoslovakia had privately owned and operated television. After television as a mass medium was introduced in May 1953, it developed exclusively as a state-owned and operated conduit of information and propaganda designed to serve the state and the Communist Party.

The Broadcasting Law's Basic Aims and Principles

Today's (1995) basic set of media legislation in the Czech Republic consists of a Press Law (initially adopted in 1966, finally amended in March 1990 - see above) and four broadcasting laws adopted in the period 1991-1992, either by federal or national Parliaments.[2] The emphasis in this study is on the federal broadcasting law, not only

because it was first of its kind to be adopted by a member state of the former Soviet empire, but also because its provisions established the basis for the subsequent Czech national laws, not to mention the fact that this federal legal code remains in force and still forms the framework for broadcasting activity in the new independent Czech Republic.

The Part One of the Broadcasting Law abolished the state monopoly of broadcasting and established prerequisites for the coexistence of public and private sectors in radio and television broadcasting. The law defines two sorts of operators: the public broadcaster, who is entitled to broadcast by the relevant law, and the private broadcaster, who gains authority and legitimacy to broadcast through the grant of a licence. Broadcasting licences may be granted to corporations and individuals.

It is evident from reading the 1991 broadcasting law that Czech radio and television are developing along the European, as opposed to the North American, model. This means that, for the time being at least, a dual broadcasting system, as a form of coexistence between public and commercial media, will prevail in the Czech Republic, with the public sector having an important presence. Whether the initial dual arrangement will in any way be challenged by the private sector and changed in the near future remains to be seen. The limited number of frequencies available and the lack of domestic capital needed, especially in developing a commercial television network, plus the historical status and role of television within Czech society, are key factors to consider in this regard. The prospect for commercial radio stations are far brighter as evidences by the growth since the onset of the transformation. As of January 31, 1995, the Czech Broadcasting Council had issued 91 radio licences involving 59 local stations and four transmitting nation-wide (Broadcasting Councils Report 1995, 6).

Nevertheless, the public service aspect and boundaries for freedom of broadcasting are indicated under Part Two, Article 4, of the broadcasting law. This deals with the responsibilities imposed on broadcasters in both public and private sector:

- Broadcasters transmit programs freely and independently. Their contents may be interfered with only according to and within the boundaries of the law.
- Broadcasters provide objective and balanced information essential for the free expression of opinions (Collection of Laws, No. 468, 1991, 2266).

Both public and private broadcasters are also bound by provisions under the ensuing Articles 5 to 8 pertaining to human rights, advertising and sponsorship. They reflect European standards concerning the fundamental rights of others, the limitations of cruelty and violence and the protection of children and adolescents.

The responsibilities given exclusively to public broadcasters are outlined in Article 9, which stipulates that the general duties of a public broadcaster should be to serve public interest, contribute to the creation of democratic society and reflect pluralism of opinion and, in particular, that they emphasise nation-wide coverage, programming diversity, domestic production, and promotion of cultural identity.

The public broadcasters' basic mission is to serve the public interest, contribute to the realisation of a democratic society and reflect its pluralistic outlook by assuring that their broadcasts are not oriented toward a one-sided viewpoint, one religious denomination or single world view, or one political party, movement, group or

segment of society (Collection of Laws, No. 468, 1991, 2268).

The Article 9 of Broadcasting Law also became a starting point for reorganising the former state federal broadcast media into the new public service corporations Czech Radio and Czech Television.

The Broadcasting Council: Its Role and Responsibilities

The explanatory report which accompanied the final draft of the broadcasting law submitted to the former Federal Assembly on October 30, 1991, cited several documents and recommendations which were taken into consideration in drafting the bill. First of all, Article No. 10 of the European Convention on Human Rights was noted. After acknowledging everyone's right to free expression and information, this also acknowledges states' legal rights to demand licences for radio and television broadcasting.

The question: who will award licences? was resolved by creation of an independent regulatory body for radio, television and cable, in accordance with suggestions from numerous media experts from Europe and the United States, among them an informal group of North American and European executives based in Washington, D.C., called Trans-Atlantic Dialogue on European Broadcasting (Webster 1992, 7).

The broadcasting law made the Federal Broadcasting Council (FBC) the top licensing authority for federal broadcasting. The FBC consisted of nine members, with three members each nominated by the Federal Assembly, the Czech National Council and the Slovak National Council (national parliaments).

The Council's basic purpose was to safeguard freedom of expression and the public's right to access of information. The FBC should protect regulations covering both public and commercial sectors of broadcasting, promote diversity in programming and "ensure effective use of broadcast frequencies." In the course of its one-year's existence, the Federal Council awarded virtually no licence, since licences for nation-wide broadcasting issued to radio stations Radio Free Europe and BBC World Service in 1992 had merely legalised the foregoing Federal Cabinet's decrees of 1990.

Following Czechoslovakia's separation, the original FBC ceased to exist and was replaced instead by the Czech Broadcasting Council (CBC - the accurate wording: the Czech Republic's Council for Radio and Television Broadcasting). However, the role and responsibilities of both Councils remain basically the same. Its main **raison d'etre**, as noted in Section 3 of Article 1 of the law creating body, is "to act as the administrative force within its field of authority" (Collection of Laws, No. 103, 1992, 628-630).

Thus, the CBC also was projected as the administrative authority **sui generis**, as a body outside the state administration but equipped with administrative competency. The accountability of the CBC is directed exclusively to the Czech Parliament. The parliament nominates all nine council members. This clear CBC dependence on parliament stems from the belief, that prevailed in many post-communist East-Central European countries during the early days of political change, that the public's best and only representative body was the parliament because the legitimacy of democratically

elected deputies was indisputable.

However, this state of affairs raises doubts about the CBC's independence and impartiality in the future. The pertinent legislation not only does not protect the Council sufficiently, but also enabled the independent and professionally minded CBC to be easily transformed into a quasi parliamentary commission controlled by party politics and interests.

The next development confirmed the fears concerning the future independence of the CBC. According to original version of the Act No. 103 of 1992, the parliament had the possibility to recall the entire Council. This was not possible in the case of the former FBC, where only individual members could be removed, as defined by law.

To recall the Council as a whole would be possible only when the CBC would refuse "to submit a report on broadcasting and its activities" to parliament annually, or whenever the parliament should request one. This authority of parliament was enlarged by an amendment to Act No. 103 of December 1992. While the original wording enabled the recall of the CBC only when the Council would prove not to be accountable to the legislature, the new version empowered parliament to recall the CBC any time when the Parliament "**repeatedly** does not approve the report on the CBC activities" (Collection of Laws, No. 36, 1993, 206).

The first controversy arose immediately after The CBC awarded a licence for a nation-wide TV channel to the CET company on 30 January 1993. The winner of June 1992 election, the Civic Democratic Party, objected to this decision. The Council's initial report submitted to parliament was rejected in March 1993, while the vote on its second report, on May 22, resulted in an even split, so the report was neither accepted nor rejected. A rejection of the second report could have resulted in a recall of all Council members. However, only the CBC Chairman Daniel Korte resigned, on May 27. According to his expressed belief, he did not wish to be a roadblock on the path to mutual co-operation between the CBC and Parliament.

The cease-fire between these two bodies lasted only one year. In July 1994, the CBC's annual report was repeatedly rejected by deputies in the Czech Parliament. The Parliament used the rejection as a legal reason for recalling the Council's existing members and electing new members during the same session on July 9. The selection of new members proved to be more along party lines and allegiances to the dominant political groupings in Parliament than according to qualifications or expertise of those elected. From the original eight Council's member (Korte's post had not been filled for a whole year) only three survived, among them the future CBC Chairman Mr. Bohuslav Hanus.

The CBC's mounting difficulties, whether with the Czech Parliament, broadcasters or the public, stem from four basic issues, as articulated by the Council's spokesperson:

1) Some "political circles" persist in desiring to control the mass media, or at least to influence them, including Council members, because such groups and individuals are not yet used to the independence of governing bodies, such as the Broadcasting Council, or even the media. The continued desire for control is a carry-over from the past.
2) The weakness and vagueness of the new laws passed since 1990, including the broadcasting law and legislation creating the CBC.

3) The inexperience of Council members who were breaking new ground with their decision and final actions. Admittedly, from the point of view of hindsight, the members made many mistakes in their initial deliberations, for which they were criticised. But the bulk of mistakes have been made and future Council members will have examples to fall back on and precedents to follow.
4) Independent bodies such as the CBC are a new phenomenon in Czech society and, therefore, difficult for the public to understand and accept, and for the media to cover. The mass media did not understand the Council's activities at first, so there was mainly negative coverage which resulted in the public's negative attitude toward the Council and its initial activities. (Landová 1994).

The Quest for Balance in a Dual System

Due to the mountainous terrain of the country, and because of its central location in Europe making it necessary to co-ordinate broadcasting activities with neighbouring states, the scarcity of frequencies in the Czech Republic is more urgent than elsewhere in the Middle Europe — with possible exception of Switzerland. Only three TV channels can operate complete nation-wide networks. The fourth and following TV channels have a chance to build the networks with only limited nation-wide coverage by means of terrestrial transmitters.

Table I: The Development of Czech Television Channels, 1992-1995

1992		1993		1994-1995	
channel system	operator	channel	operator	channel system	operator
F1 (SECAM)	ČST	ČT2	ČT	NOVA (SECAM/PAL)	ČNTS
ČTV (SECAM)	ČT	ČT1	ČT	ČT1 (PAL)	ČT
OK3 (PAL*))	ČT	ČT3	ČT	ČT2 (PAL)	ČT
—	—	Premiéra	FTV Prem.	Premiéra (PAL)	FTVPrem.

*) The PAL standard was introduced in May 1990.

Operators:

ČST	Czechoslovak Television (ceased to exist as of Dec. 31, 1992)
ČT	Czech Television (established in 1992)
ČNTS NOVA	Czech Independent TV Co. NOVA-TV, which began broadcasting on February 4, 1994
FTV Prem.	Prague's regional channel Premiéra which began broadcasting regionally on Jun. 20, 1993 (since 1995 Premiéra develops into the nation-wide channel)

The initial concept of the dual broadcasting system, as envisioned in the 1991 broadcasting law, presupposed that the public broadcasting sector should operate two of the three available nation-wide networks. The third, at that time incomplete, network, OK3, with all the remaining free frequencies, were left available for private broadcasters. The aim of the concept was for the broadcasting system's future development, with an increase in the number of terrestrial channels with the help of the commercial sector of broadcasting. Thus, private companies, by bearing the major portion of investment costs, would be responsible for developing the new broadcasting infrastructure.

However, the Act No. 36 of 1993, passed a mere nine days before former Czechoslovakia ceased to exist,[3] changed the initial concept. The Czech Parliament decided, in effect, that not OK3, but the first, former federal, channel F1 should be privatised. Moreover the public service sector should operate only one national channel after 1996, when OK3 should also face privatisation.

All these changes mirrored the shift to the right in the course of government policy after the June 1992 national elections, in which Václav Klaus's Party, the ODS, was victorious in the Czech lands. The new government shared the belief that a free-market economic system in the mass communication field would automatically establish more open and diverse media of better quality. As regards media policy, the Cabinet declaration of July 1992 stated:

The right of the citizen to receive information, whether delivered by the print media or through broadcasting, this freedom of information is one of the basic civil rights. Therefore, the government will promote the plurality of the mass media since competition in the information market place guarantees its quality and objectivity. The government will encourage the privatisation process and support private enterprise also in the mass communication field. (Declaration, 1992).

The supporters of public broadcasting opposed this point of view with the arguments that privatisation would not boost but rather decrease the range, variety and quality of programming, and that with only one channel left, the public broadcasting system would lose the possibility fully to serve the public, thus decreasing the program diversity required by law.

The debate at that time arose from uncertainty as to the commercial station's performance and its ability to generate enough advertising revenue not only to sustain itself but also to finance quality programming.

The advertising market's value stood at one billion crowns in 1992, roughly 37 million US$. The amount was 70 times more than was spent in 1989, 25 times more than in 1990, and six times more than in 1991 (see Table 2).

Table 2: TV Advertising Expenditure in the Czech Republic

(in thousands of Czech crowns; 1 US$ = 27 Czech crowns)

1990	1991	1992	1993	1994
40,000	167,000	1,050,000	1,900,000	2,700,000

Source: *Czech Broadcasting Council Annual Report 1994-1995*, Appendix No. 7

Despite the remarkable grow of the TV advertising market, a big question mark was hanging over future developments in 1992, because the sum of 1 billion crowns was considered as a minimum annual budget for one private full service television channel transmitting nation-wide. In 1993 the question of the potential for generating a sufficient amount of advertising revenue has been resolved in the affirmative. However, the next concern for the future was whether NOVA TV would be able to carve out a large-enough slice of the ad revenue pie to continue operating and survive.

Irrespective of the abstract debate on the pros and cons of the Czech Parliament's new media policy, the CBC, since January 1993 the only and supreme licensing body in

the state, has proceed with licensing basically along the lines laid down by government and Parliament. The CBC behaviour reflected the broader consensus in society, where the public, the media and decision-makers were united in resentment against Czech Television's monopolistic position, particularly in the area of news reporting and news programming. So, for example, Article 4(4) of the Act No. 36, which regulated the conduct of Czech Television prior to the privatisation of the first channel, stipulated that Czech Television establish — for the sake of plurality — independent news departments for both its nation-wide channels. Czech Television complied with the provision from February 1, 1993, to the end of 1993.

On February 4, 1994, the new private television channel NOVA began broadcasting in the Czech Republic. It must be noted, however, that while NOVA TV became the first commercial station to broadcast nation-wide, the Czech-Italian joint venture PREMIERA TV had been on the air in the Prague region since June 1993. However, in contrast to the regional PREMIERA TV, NOVA TV used the transmission network of the former F1 (federal) channel, and its broadcasts covered the whole territory of the state. Thus, NOVA became the first commercial nation-wide program service not only in the Czech Republic, but also among the states comprising the former Eastern bloc.

The appearance of NOVA TV was a milestone of sorts in the transformation of broadcasting in the Czech Republic because it proved that a dual broadcasting system had been implemented not only in the radio but also in the television field. The public broadcaster, Czech Television, had to face the challenge of a full-fledged competitor.

To describe all events and discourses surrounding the first year of the NOVA TV broadcasts are out of reach of this study, especially when considering the multiplicity and diversity of possible approaches - e.g. political, economic, cultural, journalistic, media industrial etc. We will confine ourselves to some basic facts revealing the NOVA TV position in audience research studies.[4]

Table 3: The Reach of the TV Channels in the Czech Republic

(Viewing the previous day in %)

	Quarter of year:				
Channel	I/94	III/94	IV/94	I/95	II/95
NOVA-TV	61.7	66.0	73.3	79.0	75.0
ČT1	58.2	40.3	40.6	44.0	39.0
ČT2	9.4	6.1	6.1	8.0	7.0
PREMIERA	6.1	3.3	3.9	4.0	3.0
Others	7.9	5.0	5.3	N/A	N/A
Total	87.5	81.5	85.9	91.0	87.0

Sources: News bulletins ("Basic Reports") of the Media Project 94 and 95. *Czech Broadcasting Council Annual Report 1994-1995*, Append. No. 1-4 (the 1994 data).

After a not very convincing start, when ČT was still the dominant force on the market in the March and April 1994, NOVA-TV surpassed its competitors in the period of May-July 1994. The peak of the NOVA-TV market share was reached in the spring 1995, when the NOVA-TV figures exceeded 70 %. However inaccurate or distorted the

results of the Media Project may be due to the crude method of sampling the data, there is no doubt that they reflect TV viewing habits and basic trends.

Table 4: The TV Market Shares in the Czech Republic (in %)

	Quarter of year:					
Channel	I/94	II/94	III/94	IV/94	I/95	II/95
NOVA-TV	49.6	56.5	63.5	68.4	70.1	70.4
ČT1	38.2	32.1	28.3	24.2	22.6	22.2
ČT2	4.1	4.2	3.1	2.3	2.8	3.2
PREMIERA	3.4	2.8	1.7	1.7	1.6	1.4
Others	4.7	4.4	3.4	3.4	2.9	2.8

Sources: News bulletins ("Basic Reports") of the Media Project 94 and 95. *Czech Broadcasting Council Annual Report 1994-1995*, Append. No. 1-4 (the 1994 data).

Generally, the viewing public tended to favour the arrival of commercial television. The new styles of programming, coupled with a more attractive film policy, have combined to offer a more diverse and, therefore, more appealing diet than the former limited menu. The viewing audience was appreciated the new style of commercial programming. The public broadcaster was attempting to challenge the commercial station by way of alternative scheduling on its two channels. Since January 1994, ČT1 has been projected as the "mass audience" channel, while ČT2 has generally been identified and marketed as the "cultural channel" and as the one designed to served minorities. As was stated in Czech Television's ***Facts and Figures 1993/1994*** publication:

> *The CT2 program was conceived as alternative and complementary to CT1 to counterbalance a service for the majority with service for the minority viewers. [The program summary goes on to note that prime time is devoted to] attractive documentaries, classical music, operas, stage performances, specific entertainment shows, films for discerning viewers, magazines and many educational programs (Czech Television 1994, 19).*

Developments in 1995: Signs for the Future

In February 1995, the Czech Prime Minister Vaclav Klaus disclosed the government point of view concerning the future of the second ČT channel, which was "leased" to the public broadcaster by the Act No. 36 only temporarily, till the end of 1995. According to Cabinet opinion, public service Czech television should operate two nation-wide channels in the future, in order to promote variety of programming and to enhance the possibility of serving the various minority interests. This government opinion got a positive response in the Parliament. It is highly probable that an amendment to the Act No. 36 may be adopted by the same legislative body that three years ago so fiercely supported the advent of commercial television.

The change in public opinion and of media attitude towards the public service broadcaster Czech Television can be explained as a result of a "pendulum effect." From one extreme position of monopoly state television operated by the state and

party interest in the Communist era, the development reached the other extreme position after 1989, when the public service approach was nearly rejected, and the commercial approach glorified.

Fatigue brought on by the import (mainly from the United States) of soap operas and situation comedies is yet to come. However, the enlightened and socially engaged part of the public has realised the potential of commercial TV and started to push the pendulum into the more balanced position. The more positive attitude to ČT was influenced also by development in the area of the commercial part of TV broadcasting.

In June 1994, Premiera TV acquired a satellite licence and regional frequencies from the CBC. In January 1995, it ceased to be a mere regional Prague channel, when its new transmitters started to broadcast its program in the regions outside of Prague. Premiera TV has emerged as a fourth national channel and the future nation-wide competitor for NOVA-TV.[5]

All of a sudden, the Czech public faced a future where the ratio of commercial and public national channels would have been 3:1 instead of 2:1, as suggested in the Act No. 36/1993. Since the first public service channel has also chosen a commercial, "mass audience" strategy, it is no wonder that prevailing public opinion has changed in favour of the two-public-channel variant, giving a 2:2 ratio between commercial and public terrestrial networks. The television viewers, especially in capital of Prague, have suddenly discovered that the increasing number of commercial channels competing for the same, i.e., mass, audience does not automatically mean increasing variety, quality or even a wider choice.

This fact is reflected in the latest audience research published in August 1995 (see Table 5). It is true that NOVA TV holds, or even strengthens, its position nationally (increasing from 70.1 to 70.4). However, the figures from the capital of Prague, the most developed television market in the Czech Republic, show a decline in the popularity of NOVA TV, while the two ČT channels show increased audience interest.

Table 5: TV Market Shares in the Czech Republic and in Prague

(Comparison of first and second quarter of year 1995, in per cent)

		NOVA TV	ČT1	ČT2	PREMIERA	Others
Czech Republic	I/95	70.1	22.6	2.8	1.6	2.9
	II/95	70.4	22.2	3.2	1.4	2.8
difference		+0.3	-0.4	+0.4	-0.2	-0.1
Prague	I/95	66.7	25.0	2.9	1.1	4.3
	II/95	59.4	27.6	4.1	5.3	4.6
difference		-7.3	+2.6	+1.2	+4.2	+0.3

Sources: News bulletin ("Basic Report") of the Media Project 95, published by the GfK Prague and Median, August 10, 1995.

Finally, the issue of the information content of broadcasting should be analysed, since the Czech government declaration of 1992 stated that "competition in the information market place guarantees its quality and objectivity." As to quality, it has not been an automatic outcome of the new "competition of the market place of

information." Both Czech Television and its commercial counterparts are attempting to remain politically neutral. The discernible existing differences in their respective news programs are evident on two levels. While NOVA TV emphasises tabloid events, or crisis-oriented reporting, for example crime, scandals, catastrophes and the extremist views of former Communists or radical Rightists, Czech Television continues to float in the mainstream, avoiding conflicts with governmental bodies and an agenda-setting role.

This does not mean, however, that the public broadcaster serves as a mouthpiece of the Czech government. In fact, Czech Television has aired news critical of government and of the political parties comprising the ruling coalition. Nevertheless, such information parallels a news agenda established by other media. In that respect, the public broadcaster is generally not an initiator of such negative or critical news and, therefore, cannot be viewed as basically anti-government.

A good example of its still "timid" approach to political confrontations at the top level even of commercial broadcasters was the Prime Minister Klaus affair, which occurred in late spring 1994. On May 30 of that year, NOVA TV's leading interviewer Lubos Beniak, taped an interview with Mr. Klaus for the former's current affairs talk show program, which airs four days a week. Compared to his US counterparts, such as Larry King of CNN, Beniak's interviewing technique is rather mild, but regarded as aggressive or offensive by many Czech viewers. Consequently, Mr. Klaus lost his patience and his "professional cool" during the recording: he exploded. Two days later, Mr. Klaus's office asked the NOVA TV management not to air interview, and the commercial station complied. The nature and content of the interview became public only because ***Rude pravo*** (Red Truth) chose to publish a story about the incident.

One year later, NOVA TV offered to the Prime Minister Klaus a five-minute's spot to be broadcast every Friday in the late afternoon from September 1995. This proposal caused a fierce debate in the Czech media. The objections were fully understandable when one takes into consideration the fact that only ten months were left to the next general election. The opposition parties understood NOVA TV behaviour not as an effort to get better audience share just before the Friday prime time but as an unfair bonus given to the leader of governing political party. NOVA TV producers argued that Mr. Klaus should answer the frank and offensive questions posed by general public in the program, and that there will be no space for promotion of any party interests.

Both affairs showed that, despite its proclaimed independence, NOVA TV chose to compromise and to be loyal to the government, a phenomenon previously attributed by the public to the public broadcaster, Czech Television. The **cause celebre** and its outcome further supports the tenet that the media reflect the society they serve, and that changing a media culture, like a political system, is not a short-term process. The transition from a totalitarian to an open democratic media will be continued for years to come, and this process should involve all basic elements of the media system and its structure:

- a legal framework enabling basic human rights and fundamental freedoms to be realised also in the area of mass communication;
- an organisational structures of media enabling them to be as independent as

possible from distorting political or economic influences;

- well educated, responsible and free-thinking journalists who respect democratic values that free of the ideological, civil and economic constraints of the past.

Notes:

1. Throughout the chapter reference to Czechoslovakia is made in the historical context, meaning the years prior to January 1, 1993, when the legal separation of the Czech and Moravian lands and Slovakia officially occurred.

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2. They are:

Act No. 468/1991, on the Operation of Radio and Television Broadcasts, October 30, 1991.

Act No. 483/1991, on Czech Television, November 7, 1991.

Act No. 484/1991, on Czech Radio, November 7, 1991.

Act No. 103/1992, on the Czech Republic's Council for Radio and Television Broadcasting, February 21, 1992.

Act No. 36/1993, on some Arrangements in the Field of Broadcasting, December 22, 1993.

3. Although Act No. 36 was passed in December 1992, it was not actually published until January 1993, due to the time pressure originated from adopting a new legal system for the newly born state of the Czech Republic.

4. Until June 1994, both major national broadcasters, Czech Television and NOVA-TV, conducted separate audience research studies but kept their result secret. In February 1994, independent research on all media in the Czech Republic, branded the Media Project, came into being. The research is funded by the SKMO (Sdružení komunikačních a mediálních organizací - The Association of Communication and Media Organisations) who incorporate all the leading interest group of the media and advertising, among them ČT and NOVA-TV. The results of opinion polls are published quarterly. The TV audience research in Media Project, conducted by the independent companies Gfk Prague and Median, is based on the outcome of interviews with a sample of randomly selected people, describing their TV watching for the previous day in 15 minutes steps. The average sample represents 40 to 50 interviewees daily (15 000 in a year), it is changed every day and its structure responds to demographic criteria. Audience meters or peoplemeters are still not available in the Czech Republic (at the fall of 1995).

5. Premiera TV, originally a Czech-Italian venture (with the Volani group), has been taken over and since 1 July 1994 is fully owned by the Czech bank "Investicní a postovni banka" (Czech Investment and Post Bank). After CBC distributed the licences for satellite broadcasting on June 28, a public debate erupted about fairness of the procedure. Premiera TV, in contrast to other successful applicants (e.g., Supernova or Art Production K) also got, besides the satellite licence, eleven regional TV frequencies, and it is on the way to becoming a fourth nation-wide network in the Czech Republic. As a condition of the licence, Premiera TV is obliged to provide regional two-hour "windows" for regional broadcasting, if any local broadcaster in the region is interested in such a business.

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