

**“Alexandru Ioan Cuza” University of Iași
Faculty of Philosophy and Social-Political Sciences**

**AUDIO- VISUAL AS A PUBLIC POLICY.
TVR IAȘI IN THE NATIONAL AND EUROPEAN
CONTEXT**

**DOCTORAL THESIS
SUMMARY**

Scientific coordinator:
Prof. Univ. Dr. **GEORGE POEDE**

CARMEN OLARU

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The Romanian field of audiovisual does not really have a real and complex history of the period after 1989, in comparison to the way it has evolved. Even less was written about regional television. This finding was the argument that convinced me that a research with the subject of the media phenomenon after December '89 from the

perspective of public policies of the audiovisual is interesting enough. This study is trying to present the evolution of the Romanian audiovisual field after 1989, in comparison to the way it has evolved on the European level and the way it was influenced. Recent European legislation also caused some major changes on the national level. The policies applied in the audiovisual domain are of interest to the state's institutions, but also the media non-governmental organizations.

“AUDIOVISUAL AS A PUBLIC POLICY. TVR IAȘI IN THE NATIONAL AND EUROPEAN CONTEXT” thesis is focused on the study of the audiovisual legislation which guides the functioning of the regional media channels compared to the national channels, between public regional television in Romania and other regional stations in the European Union. The doctoral thesis analyzes the way of evolving of the Romanian audiovisual, considering the new regulations and how the dominant position of television on the media market is explained, from the point of view of the audience, but also as a influence factor. Public television is analyzed in comparison to the commercial channels.

The research method used is multidisciplinary, using notions from the fields of political science, communication and journalism, but also sociology, law, economy and statistics. The method corresponds to the necessities of a subject of public policies in the audiovisual, which, although subscribes in the field of political science, is situated at the border with disciplines like communication and journalism.

The research was quantitative, as well as qualitative. The theme researched was illustrated with a case study upon TVR Iași. The analysis had some strategic dimensions: programs policies and the international perspective, types of programs in a regional station, public involved, performances, the challenges of regional press that addresses a certain community with a double role, as a supplier and a recipient of the message. The programs made by this regional channel of the public television respect the European regulations and address the community in Moldova.

The work also approaches the particularities of the regional channels of television as media institutions, as information supplier, their impact on the life of the community

and aspects regarding regional journalism, ways to make certain types of programs, from reportages to news journals, ways of promoting them and analyses of these programs.

In the specialty bibliography, television is viewed from different angles, but not enough from the perspective of the regional particularity, which offers an original approach to this certain paper, even more because there is not yet a methodological pattern well known that should have been followed.

The thesis is structured on six chapters, as follows:

Chapter 1 establishes the conceptual frame in which the research is going to be made, the terms used, definitions of public policies, theories and paradigms that base the research, stages and actors that participate in elaborating and analyzing public policies in the context of the changes in the European space before and after adhering the European Union. In the last part of this chapter for the theoretical approaches regarding public policies in the national and European context.

In the first part of the chapter some of the most important definitions of public policies are presented, types of action and relations a public policy involves.

Starting from the process of elaborating public policies, the thesis wants to analysis in the next chapters how these stages are followed in the audiovisual field, which are the actors that take part in the elaborating process, what role do they complete, what instruments form the basis of implementing policies, how the monitoring and evaluating can be done in audiovisual, and, specifically, in television.

The **second chapter** is dedicated to describing the media scenery in Romania after 1989, the evolution of written press, changes it has overcome regarding the changes in the society after December '89, the evolution of written press in comparison with that of radio and television in the same period of time. In the first part of this chapter we review the concepts and some of the theories in the audiovisual field, and then we analyze a part of the stages of the development of studies about media, those referring to television. In the second part of this chapter we go through some essential stages in the transformation that the audiovisual in Romania undergone, reported to the evolution of other mass-media, with a vigorous approach on television.

Resembling all the countries that were once part of the communist area, in Romania the media scenery changed once with its political system. A few party

newspapers that existed by 1989, one single offer of audiovisual programs from the Romanian State Radio TV, a few hours of broadcasting, but lacked of editorial content, were all replaced after 1990. Tens of new publications, private radio channels that worked without respecting the regulations, the appearance of new journalists that were trying to adapt to a media market in continuous transformation, this was the frame of the new democratic press in Romania. A new analysis in the audiovisual field after 1989 is more needed considering the evolution of written press in the same period, as a part of the media scenery in general.

The media scenery in Romania was analyzed compared to the strategic dimensions mass-media overcame for its transformation from a communist press, undermined by state control and that of the parties, to a democratic press. Also, we have compared the evolution of written press and audiovisual in Romania during these stages,. There are studies in which it is marked that the most growing level of evolution in written press from all the ex-communist countries was recorded in Romania. The evolution of audiovisual in Europe is synthetically presented, the audiovisual in Romania being treated in report to other countries in Central and Eastern Europe. In Romania, we assist to the fastest privatization of the audiovisual, the first radio and television local channels appearing before the audiovisual law in 1992, so for a period of time they were functioning without any regulations. Once with the appearance of the National Audiovisual Council in 1992, the commercial broadcasters also become legal owners of the broadcasting license given by the new audiovisual regulator. The parts that concern the Romanian audiovisual after 1989 are on one side about the evolution of radio and television, the relation between them, stages of evolution for the two mass-media channels, and on the other side the comparison between public and private, in the radio market, but also in television. The main regulations that are as a legal frame in Romania: law no. 48/ 1992, law no. 504/ 2002, law no. 41/ 1994 that are analyzed in direct relation with the Directive *Television without frontiers* adopted in 1989, revised in 1997 and which represents the base of the EU politics in the audiovisual domain.

Comparative analysis regarding the evolution of mass-media is made not only on a national level (macro-media), but also on a regional level – Moldova (micro-media), to describe the field on which TVR Iași has developed, the regional channel being the study

case in our research. Presenting the international dimension of the press in the North-East of the country is an original one and is based on some personal researches (document analysis, interview with media representatives) done on the last 10 years. It is about the research activities regarding regional press, written press in Iași, the history of the regional newspaper *Monitorul* that became a national brand, and, on the other hand we are talking about the audiovisual market in Moldova. The fragmentation of the audiovisual market on a national level is a phenomenon that we are noticing on a regional level too, but on another dimension, because the stakes are different than the ones in central media. The political influences diminished in the radio area because the television exposure grew, those interested to promote their interests being conscious that the impact is more powerful in televised shows. The original elements in the paper are also about the comparative analysis of the local public radio with the local commercial radio, as for the graphical presentation of the way audiovisual licenses are distributed in the Moldova area. If local television is provincial television or the television of the community we try to find out through a scientific paper and research about the European regulation, the legislative harmonization, the way of elaborating programs policies, factors that influence the process and the analysis of these policies.

On this fragmented media market in Moldova, as for the national one, but with another dynamic, other stakes and interests, other opportunities and journalistic marks, with an active written press, with the largest daily newspapers network in Romania, *Monitorul* from Iași, which had written editions all over Moldova, with a strong regional public radio and with private radio initiatives sustained, with a couple of independent television channels, appeared on the 3rd of November 1991 and later developed the regional station TVR Iași, the object of the case study from the last chapter.

The third chapter follows the evolution of television in Europe after the liberalization of the audiovisual market, the role of the known models of European television in the development of public television in Central and Eastern Europe, the situation of public television in the context of the competition with private television, the identity crisis and reforms that have influenced the public television service. I have analyzed what are the regulations specific to the European audiovisual market and the current legislation in these fields, what are the fundamental principals and norms of

regulation, which regulators were created and what obligations are in the duty of the broadcasters when it comes to the programs policy. In the last part of the chapter we proposed an analysis of the television consumption in Europe, reporting to the theories of Giovanni Sartori, underlining the evolution from tradition and innovation in European television in general to the regional stations in Europe. Television, the media that dominates the European audiovisual market, is presented in the period of pre- adhering of some states to the European Union and in those states that later became members of the EU, emphasizing the challenges that arose from its new status and how this marked the evolution in different countries.

There is a primary legislation that includes all the stipulations directly imposed by the fundamental treaties and that have legislative power, as well as a secondary legislation adopted by the legislative institutions in Brussels. The primary legislation includes the regulations in the Treaty of the European Community. In Eastern Europe, audiovisual is regulated by two types of laws: those of the audiovisual in general and those which regulate the public television service. *The directive referring to mass-media services* and *the MEDIA program* represent the basis of the communitarian policy in the audiovisual field, which promotes the concept “television without frontiers”, the concept around which all the current European legislative system spins. Adopting in 1989 of the *Directive for Television without Frontiers (TWF)* had a decisive importance in the evolution of the European audiovisual. Revised in 1997, 2002 and 2007, the directive constructed a legal frame for the free circulation of the services for broadcasting television programs inside the UE, on the principle of the “country of provenience”¹, the free circulation of programs on the internal market according to the legislation in the country member where it comes from, fact made possible by the harmonization of the national norms with the directive. *The directive concerning audiovisual media services* (Directive 2010/13/UE of the European Parliament and Council from 10th of March 2010) asks the member states of the European Union to coordinate their national legislation so that television programs and video service on demand can be traded

¹ Principle of country of origins, basic element in the EU directive 2010/13/UE of the European Parliament and which passed the European Council on the 10th of March 2010 to create an internal market. The principle applies to all mass-media services in the audiovisual domain to ensure legal security to all the mass-media services suppliers as a basis for new business models. Applying the principle is essential to assure the free circulation of information and audiovisual programs on the internal market.

without restrictions on a unique and free market. In the audiovisual sector from the EU there are mechanisms for communitarian support (MEDIA Program) and to regulate the content (*Television without Frontiers*), but also communitarian policies with impact on media institutions: those who watch the competitors and do not admit more that the state's help from the radio and television services; mass-media plurality, as for the limitation of participants in media institutions. It is extremely important the message coming from the Commission in 2005 regarding the acceleration of the transition from analogical to digital, a message that suggest 2012 should be the year when analogical field broadcast should be eliminated.

Regional channels have not been treated extensively by researches so far, the explanation being their recent history and the lack of interest of communication specialists for a field so new. Professionals from the European audiovisual were more focused on the theory of media proximity, the socio- cultural context. We can say, therefore, that the audiovisual market in Europe is a dynamic market in which the most important component remains the television market. In the last decades, this sector was characterized by an explosive development, by the appearing of globalization and regionalization phenomena, by duality, structure that allows the simultaneous development of the public and private system. The liberalization of the audiovisual market has determined the appearance of a competition between public and private televisions, with contradictory evolution of audience that registered falls all over Europe. Although they have tried to follow successful models of the televisions in Western Europe, public televisions in Central and Eastern Europe confronted identity crisis, difficult financial and organizational problems, and reform processes. The extension and development of the public sector determined public televisions to redefine their mission, to use their resources, to propose programs and formats as attractive as possible, and to bring back their public and assure the needed audience. On the other hand, new technology influenced the accelerated evolution of the audiovisual field by the digital systems as for the extension and domination of the Internet, all these causing a change in the public's preferences.

The forth chapter presents the legislative frame in Romania, the main laws that govern television, regulation authorities and the duties they have. The audiovisual laws

are being analyzed in relation with the European laws because we wished for this chapter to underline the harmonization of Romanian legislation with the European one. The process of public policies on a national level has undergone changes that ended up in reforms in different domains. It was a process that took place under the influence of the challenges of the international medium that is constantly changing, the globalization and its consequences and the new dynamics of social systems, as for the general process of the European integration.

The audiovisual law no. 48/ 1992 (law no. 504/ 2002) is the first democratic regulation elaborated in con-sense with the European policies in the audiovisual domain, law that ensures the pluralism of opinions and diverse offers for the public. The law erased the state's monopole on audiovisual communication and was the first global regulation that appeared in our country in the domain of the radio and television broadcasts, that established the requests for the radio-electric frequencies, what permitted the development of the public sector and commercial broadcasters.

CNA has harmonized the secondary legislation that appeared once with the audiovisual law with the modified TWF directive, adopting the Regulations Code of Audiovisual Content by the decision no. 187 of 2006. The legislative unification determined a system and grouping of the legal norms, as for updating on a general level to create the necessary environment for the new evolution on the market. This project regarding the Regulation Code for Audiovisual Content was adopted after public debates that lasted for 3 months. After this period of time, more observations, propositions, suggestions and points of view were elaborated by the working groups formed with specialists in the field, from the public or private sector, representatives of professional associations or of the civil society. Progress for this harmonization and for completing the assumed tasks has allowed the partial agreement upon Chapter 20 – Culture and policies in the audiovisual domain, in December 2002.

The pre- adhesion to the European Union and afterward, the adhesion, were moments that made a change essential for the audiovisual domain. Initially, audiovisual was supposed to complete some conditions imposed to the adhering states and then work on the basis of the regulations compulsory for the member- states. Important stages were passed in the Romanian audiovisual, legal measures were imposed, as for administrative

ones on an institutional level laws were modified according to the European ones, normative acts were approved to respect the communities *aquis*, institutions were created to regulate the domain.

We appreciate the progress made in many directions in the audiovisual, but we cannot say yet that the press is free, that the regulations in the field are not politically influenced, that the license process and the owner rights of properties in the audiovisual field are transparent and that the editorial standards are correctly regulated and supervised. There are still a lot of deviations from the deontological code of the journalist profession and televisions still prefer breaking the law and getting a fee to get better audience and profit afterward. We can say that the Romanian legislation is harmonizing with the European one and becoming a member of the EU brings not only constraints, sanctions and imposing norms, but also means opening towards the audiovisual with tradition and advanced technologies and towards communication without frontiers.

In the **fifth chapter** we analyze public television reported to the commercial televisions, the place and role of the public television on a competitive market, our research having as subject the strategic dimensions and the performance indicators that are characteristic for the Romanian Television. We analyze the norms that regulate the activity of the public television service, how the program grid is being established and what types of shows bring audience.

Television is present in the Romanian audiovisual scenery once with its beginning as an experimental television on a global level until its 56 anniversary. Romanian Television is analyzed from the perspective of its duties as a public service, identity and mission, of the way it respects the European regulations that refer to the program policies. The competition between the public and commercial television we have given it some special attention, the analysis being based on its performance and audience indicators.

The liberalization on the television market has led not only to fragmentation of the audience, but also to the lost suffered by the old state television of the part of its public that has re-oriented toward private televisions. Public television imposed new formats for shows with the purpose of reaching a young public, while the commercial televisions remained adepts if the entertaining programs or to the tabloid style for the news, with the only declared purpose to gain audience under any circumstances. In what

television programs are concerned, the evolution indicates the general changes in society, dynamic formats, adapted to the requests of a public that is getting more and more diverse.

The audience figures sustain the argumentation according to which the private channels impose themselves more noticeable on the television market in Romania that evaded from the monopole of the public television, a institution that is contested by some, loved by the ones for whom TVR remains “the first television in their life”, blamed by the politicians when their parties are in the opposition, but so disputed after every round of elections.

TVR is the largest producer and broadcaster of programs in Romania, having over 200 shows in its program grids, an argument that sustains the mission of a public service of national interest. Of these shows, 25% are produced by the regional stations that cover all the areas of the country and that are closer to their local communities than the central studio in Bucharest. Promoting values in their local communities is the duty of the five regional stations, without legal status, with headquarters in the main geographical areas of Romania: Craiova, Cluj, Iași, Timișoara și Târgu-Mureș.

Chapter six includes the presentation of the public regional television in Romania, the evolution of five regional studios through their programs policy or in report with the regulations in the audiovisual domain, with the strategies used in the relationship with the public when it comes to growing audiences. The case study represents the analysis of the development of the media channel TVR Iași in its 20 years of activity, in the context of the evolutions recorded nationally and internationally. The European dimension of TVR Iași is well represented especially by the membership in the only regional stations’ association in Europe, CIRCOM Regional. We will detail at the end of this chapter a few recent events that sustain the affirmation that TVR Iași is a regional community television but on an European level.

TVR Iași is a regional channel analyzed in the national and European context through its program policy since the beginning in 1991 until now. The performances of TVR Iași are analyzed using a Infomass study realized for the regional channel in May 2008, on an urban public in the North- East region.

The European dimension of the studio developed in time through stages of practice or the journalists who went to important stations of public televisions in Europe, by participating to co- production programs, through collaborations with international teams of trainers. The channel's prestige reflected in the invitation of some TVR Iași representatives in CIRCUM Regional juries and in the trainers team of Thompson Foundation.

The study we have made includes elements of originality about the establishment of the role and the place of regional stations in Europe, their strategy in the program policies they adopt, conclusions of the interview I conducted in the last 2 years with professionals in television and specialists in the audiovisual domain in Europe. Moreover, the participation to the European conferences of the regional stations or to others national or international mass-media events, like the Prix CIRCUM 2012 as a judge member, I was able to appreciate the complexity of some productions or co- productions, the subjects the journalists in regional stations approach, filming and editing techniques.

The general conclusions of the research take into consideration the fact that the media market discovered the regulations that did not felt constraints first, the ones imposed by the Parliament and the CNA and their own, regulations that affected the editorial and commercial content. December 1989 brought the Romanians the right to free speech, so that until the law of audiovisual was instated in 1992 – the first regulation that instated the pluralism in audiovisual – the liberties were often abused. Once with the law of the audiovisual, the right or legal persons in television that think, produce and broadcast programs to be public or private was allowed. Bringing commercial and private companies in the television domain brought a big advantage to the scenery, firstly because the program offer extended for the viewers, and secondly because a competitive field was created between televisions, each of them wanting to attract as many viewers as possible.

In 1994 the European road for the public regional television in Iași started. The regional station in Moldova became a channel of the community that continuously developed. The policies from the European audiovisual are a part of the program policy of the station, in the regulations that are the basis of television functioning in Europe. The regional stations went through the same stages as public television, have tried to adapt to

the conditions on the media market, the competition with private channels, without giving up the mission of a regional public channel.

We consider this paper is important through its elements of originality presented above and considering the fact that it is based on individual study, as for accumulated experience in over 20 years of activity in the audiovisual field, being a first in the television domain in Romania, reported to the European space.

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