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Public service TV

In terms of funding, nature and mission, public service media is off the market. This does not mean that they do not participate in the market, because they address the same viewer/listener as commercial rivals. However, they differ in that their goal **is not primarily financial gain**. If there are public service and commercial media side by side, we use the term „dual system“.

The public service has the "sanctification" of the European Union, in particular in the so-called *The Amsterdam Protocol* of 18 December 1998 in the framework of the European Summit in Amsterdam (*Protocol on public service broadcasting*), which was annexed to the Treaty on European Union and is therefore a EU law. It recognises and specifies the **specific nature of public service broadcasting** and provides that the funding provided to broadcasting organisations for the performance of the public service complies with the European competition rules¹.

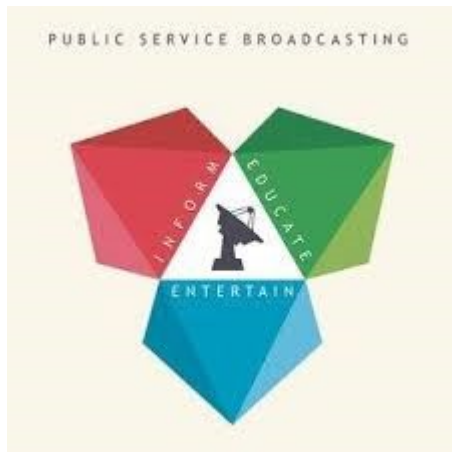
¹ World Television 1997, p. 92

For a closer understanding of the specificity of the concept of public service, we first stop at the concept of public interest. Next, we summarise what is expected of the public service media and finally show how the public service is treated on a particular case of Czech Television.

Public Interest

The public interest is seen as a **counterpoint to private interest**: a group of people who want to promote something "in the public interest" is always vague. Promoting solar energy can only be in the public interest if it is not promoted by a group of solar panel manufacturers (social interest); the construction of a single settlement may be in the public interest only if it is not pursued by a consortium of development companies (local interest); to change the principle of pension stipulates for former top athletes may be in the public interest, unless it is just a non-systemic arrangement proposed by sports associations (group interest). The existence of private higher education institutions, but not their specific institutions, is also in the public interest; **in the public interest there is a dual broadcasting system.**

The public interest can be stronger than the rights of an individual or group. As an example, let us mention that the Charter of Fundamental Rights and Freedoms also uses this term in the context of **expropriation** ("Expropriation or forced restriction of property rights is possible in the public interest under the Act for Compensation" – Article 11.4) and the Civil Code in connection with the restriction of **property rights** ("The owner is obliged to suffer that, in an emergency or in an urgent public interest, his property is used for the necessary period or to the extent necessary and for compensation, unless the purpose can be achieved otherwise." (§ 128, paragraph 1).

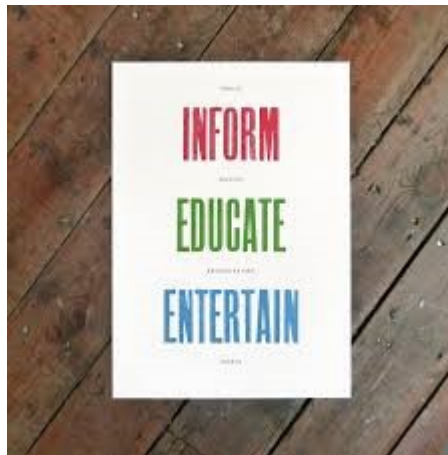


Public service media

The Czech Republic clearly articulates the need for public service broadcasting as a public interest by the *Czech Television Act*.

'Public service television exists primarily because the company has come to the view that that non-profit television is something that the company needs or considers useful and beneficial,' analyst Milan Šmíd told the *Public Service conference in public media*. "Public television doesn't have to be. And the fact that we have it is the result of a free decision" (ŠMÍD 2002, p. 210). Vladimír Železný, CEO of the first privat state-wide television, and Ivo Mathé, CEO of public service Czech TV, also took part in the discussion. Železný considers as a public service "what the public still considers necessary and what is not possible to obtain without a fee to the public in any other way, i.e. elsewhere, i.e. what is not possible to obtain without a fee to the public. on commercial television" (ŽELEZNÝ 2002, p. 67), while Mathé sees the same as the third way: "The current model of public service grew out of the lack of a state model and a commercial model" (MATHÉ 2002, p. 138).

It follows that **it is difficult to define the concept of public service in the public interest and that its specific fulfilment** is, of course, transformed and different over time and with changes in societal expectations. "The category of public interest is not and will never be immune from abuse, and the only remedy against such abuse is debate within an open democratic political system" (ŠMÍD 2002, p. 210).



What is expected of a public service broadcaster?

"The functions of the public service **are not predetermined**, but **largely reflect** social expectations, i.e. the public service functions of the public service. What is required from broadcasting in a given historical, cultural and political context, which can vary strongly from one case to case. Television as a whole primarily performs functions that are inherent mass communication in general (information, entertainment, integration, value correlation, cultural continuity, education, etc.). However, it points out that 'in these functions, both sectors of broadcasting are involved in the dual system: public and private, but in varying proportions, there is no sharp either or boundary.'" (ŠMÍD 2002, p. 212).



European's Public Service Broadcasting Expectations

Let us look again at European visions. The Council of Europe's public broadcasting programme stipulates that public broadcasters:

- (1) Provide a landmark with their programmes **to all members of the public** and **promote the cohesion of society and the integration** of all individuals, groups and communities; in particular, any form of cultural, sexual, religious or racial discrimination and social segregation must be avoided.
- (2) They **constitute a forum for public debate** in which the widest possible range of views and perspectives can be expressed.
- (3) **Provide impartial and independent reporting, information and commentary.**
- (4) **They create a pluralistic, innovative and diverse programme offer** that meets high ethical and qualitative standards and does not subject the pursuit of quality output to market pressures.
- (5) **They develop and structure programme schemes and services** that can appeal to the general public, while remaining receptive to the needs of minority groups.

- (6) **They reflect the diversity of philosophical concepts and religious beliefs in society** in order to promote mutual understanding and promote the cohesion of pluriethnic and multicultural societies.
- (7) **They actively contribute their programmes to a better understanding and dissemination of national and Pan-European cultural heritage.**
- (8) **They ensure that the programme schemes contain a significant proportion of original production**, in particular feature films, dramatic sing-alongs and other creative works, and take into account the need for cooperation with independent producers and the film sector.
- (9) **They extend the existing selection available to viewers and listeners** by offering programme services that commercial broadcasters do not normally provide (PORTER 2000, p. 8).



Czech expectations

For a specific idea of how the public service is applied in our country, i.e. what is the assignment of the meaning of public service broadcasting, it is possible to consult the *Czech Television Act*, where § 2 says:

The main tasks of the public service in the field of television broadcasting are in particular

1) **providing objective, verified, in its entirety balanced and versatile information for the free creation of opinions**

2) **contributing to the legal consciousness of the people of the Czech Republic**

3) **the creation and dissemination of programmes and the provision of a balanced offer of programmes for all groups of people** with regard to the freedom of their religious beliefs and beliefs, culture, ethnic or national origin, national identity, social origin, age or gender, so that such programmes and programmes reflect the diversity of opinions and political, religious, philosophical and artistic directions, in order to strengthen mutual understanding and tolerance and to promote the cohesion of a pluralistic society

4) **developing the cultural identity of the people** of the Czech Republic, including national or ethnic minorities

5) **production and broadcasting mainly news**, current affairs, documentary, artistic, dramatic, sporting, entertainment and educational programmes and programmes for children and young people.

§ 3 then continues in the specificity that Czech Television fulfils the public service, in particular by operating analogue and digital television broadcasting two television programmes (in that times), available in most of the territory of the Republic, as well as by broadcasting two more programmes in the data multiplex with coverage of 95% of the population of the Czech Republic, that it establishes a network of its own newsletters, provides regional broadcasting through television studios of ct, creates archival funds, maintains them and participates in their use as part of cultural wealth,

supports Czech film production, broadcasts works of domestic and foreign work and provides at least one program with twenty-four hours of programming intelligence. And also by providing teletext services and providing 70% of broadcast shows with hidden or open subtitles, and at least 2% by simultaneously interpreting into the Czech sign language.



THE BBC Code

In all the materials cited, there is a requirement for impartial and independent reporting and the provision of objective, verified and in its entirety balanced information. This is probably the strongest reason for the existence of public service broadcasting in the public interest, as media history speaks clearly for the benefit of owners, specific organisations and systems that have been manipulating information since time immemorial. In this respect, public broadcasting service is one of the greatest achievements of a democratic society. From the beginning, the BBC's British radio and later television body was a pioneer of the public service and a pioneer in this field.

Let us stop to illustrate its internal materials the *Impartiality and Accuracy Code, Charter BBC* and the *BBC Treaty*. These are binding directives for programme creators defining basic concepts and practices. It is remarkable to read their content:

Chapters of *The VALUES AND STANDARDS OF THE BBC*:

1) Impartiality and accuracy of information – Privacy and information collection – Taste and decency – Violence – Imitating and antisocial behaviour – Depiction of people and environment – Children in programme – Conflict of interest

2) Problems in fact-based programmes: Interviews — Criminal intelligence — Relations with the police — Confidentiality of information and release of programming material — Terrorism and national security — Northern Ireland – Material from external resources

3) Politics: Politics, parliament and politicians — Broadcasting during elections – Polls

4) Law and laws: General principles – Defamation and libel – Court orders and prohibitions – Contempt of court – Copyright – Intellectual property.

For the better let us now make a subjective but perhaps inspiring choice:

Impartiality: "Appropriate impartiality is central to the BBC's editorial policy. This is the main value and no area of programming can be taken out of this principle. This requires programme-makers to show

impartiality, openness and respect for truth" (BBC 1996, p14). The term "appropriate" should be interpreted as relevant or proportionate to the nature of the subject and programme" (BBC 1996, p. 14).

Privacy and gathering information: "The covert filming of identifiable persons experiencing sadness and grief or extreme fear (such as in hospitals) requires a special assessment. The use of such material will normally only be justified if the persons concerned, or someone authorised in their authorization, have granted permission to film" (BBC 1996, p. 33).

Taste and decency: "For the BBC not to broadcast programmes that involve anything that opposes good taste or decency, or is likely to encourage or initiate criminal activity or lead to disorder or insult public feelings" (BBC 1996, p. 43). "The fundamental pillars of decency lie in the fact that we speak the truth about human experience, including its darker side, but we must not seek to humiliate, harm or glorify cruelty in words or deeds" (BBC 1996, p. 43).

Violence: "Intelligence programmes should adhere to the following principles:

1) The dead should be treated with respect and not shown unless there is serious and conclusive evidence for this

2) In general, we should avoid close-up scares

3) We are not overly focused on bloody consequences of an accident or terrorist attack

4) Avoid the use of footage of violence just because they are available

5) Human life or suffering should be attributed to the same value regardless of whether it is events from home or from (BBC 1996, p. 56).

Interview: "The interview should have an investigative character and be to the point. It should be conducted in a cultured and polite manner, not aggressively, with intimidation or rudeness, regardless of possible provocations" (BBC 1996, p. 89).



At the end of the chapter, quote Ivo Mathé, the first CEO of Czech Television: "I think the best result of the existence of a public service would be a quality democratic open society" (MATHÉ 2002, p. 145).

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